

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 3, 2023

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Xerxes Corporation in the amount of \$53,825.00 for the Solid Waste Department
- Quadient, Inc., in the amount of \$16,796.00 for the Information Technology Department
- Case Management in the amount of \$16,000.00 for the Information Technology Department

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 1/7/23, 1/20/23, and 1/21/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change form for Brad Holton, District 2 Commissioner; Zach Brooks, District 3 Commissioner; and Greg Rast, Chief Operating Officer.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 8:54 a.m. to consider matters related to medical indigency. Present were: Commissioners Keri Smith and Pam White, Indigent Case Manager Kellie George and Deputy Clerk Jenen Ross.

Commissioner White made a motion to sign the release of lien for case no. 2010-378. The motion was seconded by Commissioner Smith and carried unanimously.

The hospital withdrew the application for case no. 2022-501 and upon the motion of Commissioner White and second by Commissioner Smith the Board voted unanimously to issue a final denial.

Commissioner White made a motion to issue an approval on case no. 2023-12 for cremation with a written decision to be issued within 30 days. The motion was seconded by Commissioner Smith and carried unanimously.

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

The Board met today at 9:07 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Keri Smith and Pam White, Deputy P.A. Zach Wesley, Chief Public Defender Aaron Bazzoli, Controller Zach Wagoner, Landfill Director David Loper (left at 9:15 a.m.), HR Director Kate Rice, Bosco Baldwin, Kendra Elgin and Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider approving County Expenditure Report for Public Defense Commission: Mr. Bazzoli explained that the document previously sent to the PDC needed some revisions and is now awaiting the Clerk's signature. At this time there is nothing that needs Board action and he will schedule another meeting once he receives the document back from the Clerk.

Public hearing to receive comments regarding the proposed increase to the on-site credit card fee for the Pickles Butte Sanitary Landfill and consider signing a resolution increasing the on-site credit card fee for the Pickles Butte Sanitary Landfill: No one appeared to offer comment. The increased fee covers county costs and nothing more. Commissioner White made a motion to sign the resolution increasing the on-site credit card fee for the Pickles Butte Sanitary Landfill with an effective date of January 3, 2023. The motion was seconded by Commissioner Smith and carried unanimously. See resolution no. 23-001.

Consider signing Pickles Butte Sanitary Landfill Gas Well Drilling Installation Agreement with SD Drilling Inc.: Director Loper said he hopes to get this project started in the spring. The Prosecutor's Office has prepared and reviewed the agreement which has been signed by contractor. Upon the motion of Commissioner White and second by Commissioner Smith the Board voted unanimously to sign the Pickles Butte Sanitary Landfill Gas Well Drilling Installation Agreement with SD Drilling Inc. (see agreement no. 23-001).

Consider signing resolution adopting revised personnel manual (employee handbook): This is a project that was assigned by the Board to Director Rice with help from Mr. Wesley at the request of the Hartwell Corp. to make sure there was an updated version in place. Mr. Wesley said there was a version that had been worked on previously but had been paused. He and Ms. Rice reviewed the changes that had been made to ensure they were sufficient and up to date with the law. Ms. Rice made some changes for recruitment purposes which she reviewed with the Board including holiday pay for employees on leave, holiday observation, vacation accrual and availability, bereavement pay and IT privacy policy. She also noted that this is a fluid document and will be continually updated as necessary. Communication regarding the new handbook will be sent to elected officials and department administrators to be filtered to employees accordingly. Commissioner White made a motion to sign the resolution adopting the revised personnel manual

(employee handbook). Discussion ensued regarding the effective date and due to the vacation accrual portion, it was decided that January 9, 2023 would be the best date for the handbook to become effective. Commissioner White made a revised motion to include the revised effective date. The motion was seconded by Commissioner Smith and carried unanimously (see resolution no. 23-002).

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

CONSIDER WRITTEN DECISION FOR THE PRELIMINARY PLAT (INCLUDING GRADING/DRAINAGE) FOR FTERA VIEWS SUBDIVISION (FORMERLY VALLEY VIEW RANCH #4), CASE NO. SD2020-0035

The Board met today at 9:37 a.m. to consider the Findings of Fact, Conclusions of Law, and Order for the Ftera Views Subdivision, Case No. SD2020-0035. Present were: Commissioners Keri Smith and Pam White, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, County Engineer Devin Krasowski, Chief Operating Officer Greg Rast, Attorney Mark Hilty, Casey Ames, Larry Leasure, Kim Yanecko, other interested citizens, and Deputy Clerk Monica Reeves. Dan Lister advised this is not a hearing because the floor was closed at the previous hearing and the matter was tabled to bring back revised information for the FCO's and make sure the plat matches the development agreement. Today Mr. Lister reviewed the revised FCO's that were provided initially with the hearing on December 21, 2022 where the Board approved the conditional rezone with a development agreement and as part of that the Board tabled a portion of the hearing to allow the applicant to revise their plat to match the requests by the Board as follows:

1. That the common lots either be removed or consolidated or modified to the meet the area of intent and not have such a large size of lot; and
2. Provide information for a public water system rather than the proposed individual domestic wells; and
3. Show the hillside on the property and to show the areas that will not be developed.

Mr. Lister reviewed the updated plat and said the FCO's have been updated to reflect those changes. The DSD Engineering Division reviewed the revised plat and found it consistent with the standards of review for a subdivision plat. The proposed conditions of approval are the same as provided at the previous hearing and staff is recommending approval with the revisions that were required at the December 21, 2022 hearing. There was discussion with Devin Krasowski regarding the notes about the irrigation system. The sloped areas will be converted to no-build zones on the cover of the final plat page. Commissioner Smith made a motion to approve the preliminary plat with the changes as mentioned on the record to the development features, removing the residential density gross and net; changing existing zoning to CR-RR; and removing the proposed zone noting that the irrigation should be referenced back to the plat notes as well as the water under those development features. The motion was seconded by Commissioner White and carried unanimously. The developers will have to submit a corrected preliminary plat and they will have two years to submit the final plat for at least Phase 1. The signed FCO's for Ftera Views Subdivision are on file with this day's minute entry. The hearing concluded at 9:51 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM
CALDWELL, IDAHO JANUARY 4, 2023

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

APPROVED CLAIMS

- The Board has approved claims 590897 to 590959 in the amount of \$63,418.91
- The Board has approved claims 590960 to 590999 in the amount of \$66,760.89
- The Board has approved claims 591000 to 591039 in the amount of \$373,136.89
- The Board has approved claims 591106 to 591120 in the amount of \$5,600.00
- The Board has approved claim 591260 in the amount of \$5,810.39
- The Board has approved claims 591261 to 591268 in the amount of \$30,860.68

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 1/27/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Oxarc Inc. in the amount of \$1,999.00 for the Weed and Pest department
- Coble Co. in the amount of \$2,005.00 for the Sheriff's Office
- Curtis Blue Line in the amount of \$2,450.00 for the Sheriff's Office
- Pro Force in the amount of \$2,732.81 for the Sheriff's Office

CONSIDER SIGNING FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR CASE NO. CU2022-0007-APL, SYMMS FRUIT RANCH, INC., (SYMMS RV RESORT) TO REFLECT VOTE TAKEN ON NOVEMBER 29, 2022

The Board met today at 9:02 a.m. to consider signing the Findings of Fact, Conclusions of Law and Order for Case No. CU2022-0007-APL, the appeal by Symms Fruit Ranch, Inc., (Symms RV Resort) to reflect the vote taken at the November 29, 2022 hearing. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planner Jenna Petroll, other interested persons, and Deputy Clerk Monica Reeves. On November 29, 2022 the Board conducted a hearing and voted to deny the appeal. Commissioners Smith and Van Beek voted to deny the appeal; Commissioner White was opposed to the motion to deny. However, when the

Board signed the FCO's on December 12, 2022, Commissioner Van Beek checked the box indicating a vote of "No" and Commissioner White checked the box indicating a vote of "Yes" which did NOT reflect their votes at the November 29th hearing. Today Commissioner Van Beek made a motion to amend the FCOs to show the correct vote of denial or approval by the Commissioners as recorded in the hearing. The motion was seconded by Commissioner White and carried unanimously. The signed FCO's which reflect the correct vote are on file with this day's minute entry. The meeting concluded at 9:04 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT TO CONSIDER A PUBLIC ROAD NAME CHANGE, CASE NO. RD2022-0034

The Board met today at 9:05 a.m. to conduct a public hearing in the matter of a request by Canyon County Development Services Department to consider a public road name change from Cindy Drive to Sunset Meadow Drive, Case No. RD2022-0034. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planner I Samantha Hammond, DSD Planner III Michelle Barron, GIS Analyst Tony Almeida, Shawnte' Lewis, Cindy Lewis, and Deputy Clerk Monica Reeves. DSD Planner Samantha Hammond gave the oral staff report. Cindy Drive is located off Emmett Road, north of Purple Sage Road and is a duplicate road name that was missed on the County's end. The request is to change Cindy Drive to Sunset Meadow Drive for emergency and EMS purposes. All property owners with frontage to the road were provided notice on November 22, 2022 and no comments were received. If approved the GIS team will readdress the applicable property owners and notice emergency services and the property owners will be responsible for the installation of the new sign within 60 days of approval. There are two Cindy Drives in the County; one is south of Nampa and the one being discussed today is north of Middleton. Both road names have been in existence for some time, but it just came to the County's attention a few months ago. Canyon Highway District has no comments or issues with the road name change. The Board does not agree with making the property owners pay for the sign. Shawnte' Lewis lives on Purple Sage Road testified in opposition to the road name change because it was named after her mother, Cindy. Cindy Lewis is opposed to the road name change. She testified that her grandparents homesteaded in the area and that her father obtained the property after the Korean War and subdivided the property to pay for the medical care of a family member and subsequently three roads were named after his children: Connie, Cindy, and Michael. Ms. Lewis is concerned about the costs associated with changing the road name. GIS Analyst Tony Almeida testified that staff sent letters to the property owners who utilize the road and they completed a private road application and the name Sunset Meadow Drive was agreed upon. The Lewises did not receive an application because they are not directly on the road. There was Board discussion about using a different name, such as Cindy Sue Lewis Drive and Cindy Sue Street. Commissioner Smith said we need to stop allowing people to build on non-maintained roads because they do not have an adequate driving surface, and the ordinance needs to be amended to state if it's a public road not maintained by the highway district no building permits will be issued until it's either given back to a private road and brought to standards, or brought to public road standards and maintained by the highway district. Further, the Board should draft a letter saying the ordinance requires the highway district to maintain the road sign. Commissioner

Van Beek agrees. The FCO's need corrected to reference the street signs, section 06-05-15(2)(b) specifically that public street signs will be maintained, and staff needs to remove the condition about road sign installation. Ms. Hammond said because there is a planned subdivision staff has discussed having an affidavit drafted and attached to the plat. A minor replat will not be required. Commissioner Smith wants to give staff one day to update the FCO's and to contact the highway district about the renaming and signage of the road. The Board prefers the road name of Cindy Sue, and Mr. Almeida will determine if it's street, drive, or lane. Commissioner Van Beek said the affidavit will accompany the change to amend the recorded document. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to continue the hearing to January 5, 2023 8:45 a.m. The hearing concluded at 9:46 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER HEARING PUBLIC COMMENT REGARDING SOLE SOURCE PROCUREMENT FOR A REMOTELY HOSTED SOFTWARE AS A SERVICE WITH AVOLVE SOFTWARE CORPORATION AND ASSOCIATED ACTION ITEM

The Board met today at 10:06 a.m. to receive public comment regarding sole source procurement for a remotely hosted software as a service with Avolve Software Corporation and associated action item. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Oscar Klaas, DSD Director Sabrina Minshall, DSD Engineering Coordinator Stephanie Hailey and Deputy Clerk Jenen Ross. No one appeared to offer comment and the action item was considered as follows:

Consider signing Agreement with Avolve Software Corporation for remotely hosted software as a service ("SAAS"): This software allows the DSD department to receive and process online submittals. This initial portion will be to develop the processes and has been budgeted for. Director Minshall gave an overview of what the software will provide for her office and how it will streamline processes within DSD. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the agreement with Avolve Software Corporation for remotely hosted software as a services ("SAAS"). See agreement no. 23-002).

The meeting concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – 2022 SUPPLEMENTAL ROLL PROTEST OF VALUATION FOR MAYCOM HOLDINGS, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:32 a.m. to conduct a 2022 supplemental roll protest of valuation hearing for Maycom Holdings, LLC., protest no. 22220/PIN 31135105 0. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Certified Property Appraiser Sam Stone, Certified Property Appraisal Supervisor Mike Cowan, Administrative Property Appraisal Supervisor Greg Himes, Jason Mayfield from Maycom

Holdings, and Deputy Clerk Monica Reeves. Jason Mayfield offered testimony in support of the protest application. Mike Cowan and Greg Himes offered testimony on behalf of the Assessor's Office. (Commissioner Keri Smith left at 11:04 a.m.) Following testimony and Board questions, discussion and deliberation, Commissioner White made a motion to take the \$100,000 deduction that was offered with regards to the fire suppression. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 11:30 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 5, 2023

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Discount Two Way Radio in the amount of \$4,231.10 for the Juvenile Detention Center
- Poly Seal, LLC, in the amount of \$33,000.00 for the Facilities Department
- CS Techs, Inc., in the amount of \$6,509.86 for the Facilities Department
- Kenworth Sales in the amount of \$221,481.00 for the Solid Waste Department

APPROVED CLAIMS

- The Board has approved claims 591040 to 591080 in the amount of \$297,984.44
- The Board has approved claims 591121 to 591127 in the amount of \$3,872.00
- The Board has approved claims 591243 to 591259 in the amount of \$15,524.16
- The Board has approved claim 591270 in the amount of \$761.73
- The Board has approved claim 591128 to 591133 in the amount of \$1,162.00
- The Board has approved claims 591136 to 591193 in the amount of \$91,124.29
- The Board has approved claims 591081 to 591105 in the amount of \$31,701.11
- The Board has approved claims 591194 to 591242 in the amount of \$91,611.46

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for Ethan Calderwood, Deputy Sheriff.

APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved commuter vehicle authorization forms for Russell Allen Donnelly and Lucas Martin.

PUBLIC HEARING – REQUEST BY CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT TO CONSIDER A PUBLIC ROAD NAME CHANGE, CASE NO. RD2022-0034

The Board met today at 8:53 a.m. to conduct a public hearing in the matter of a request by Canyon County Development Services Department to consider a road name change, Case No. RD2022-0034. Present were: Commissioners Keri Smith and Leslie Van Beek, DSD Planner Samantha Hammond, DSD Planner Michelle Barron, GIS Analyst Tony Almeida, DSD Office Manager Jennifer Almeida, Chief Operating Officer Greg Rast, Shawnte' Lewis, Devin Limb, Randall Robertson, and Deputy Clerk Monica Reeves. Commissioner Pam White arrived at 8:56 a.m. Today's hearing was continued from yesterday, January 4, 2023. DSD Planner Samantha Hammond presented updated conditions of approval that were requested at yesterday's hearing, and she added that the County will be responsible for any costs not covered by Canyon Highway District for the sign installation. DSD Planner Michelle Barron performed a site visit yesterday and said there is no street sign. She communicated with Canyon Highway District to understand the process; the roads were not brought up to highway district standards therefore they do not maintain them and their expectation is that a blue road sign, which is typically for a private road, would be installed and maintained by those who own/use the road. Ms. Barron said the road was not built to standards and she hopes that moving forward things like this would be a private road with a road maintenance agreement attached to it as opposed to dedicated to the public so that it's not considered a local road. Commissioner Smith agreed and said a future Board will have to work on an ordinance to fix the issue. Ms. Barron said she looked at the other public road (*Connie*) that is part of the subdivision and it doesn't have a sign either. Tony Almeida said signs need to be installed ASAP for emergency services. *Cindy Drive* needs to be changed and it's his recommendation to use a name other than *Cindy* since that road name already exists. Commissioner Smith said if the highway district doesn't want to install the sign they should do the work to un-dedicate it, otherwise, she agrees with staff that signs need to be installed right away, but it's not the homeowners' responsibility when the County changed the name. There is a problem with these types of roads and we need to do something. Further discussion ensued about highway districts managing the signs for public rights-of-ways; building on a road that is subgrade and adding to the problem; potential road names; and signage for other roads. Devin Limb stated he lives on Emmett Road and his house is affected by the road name situation. The problem with the name *Cindy Drive or Cindy Lane* is that the numbers in his address are almost identical as those on the other *Cindy*, and his packages have been delivered to the wrong address. The affected property owners in this case have proposed the road name *Sunset Meadows*. He has lived in his home for almost a year and has had little success in getting people to the property because the addressing for his road are very similar to the ones on the other *Cindy* road. Another major concern is that EMS may not be able to locate the address. There was discussion about other potential names. Mr. Limb asked why other names are being considered when the homeowners on the street submitted an

application with the proposed name of *Sunset Meadows*. Randall Robertson said if others want to suggest the name *Cindy Sue* or *Sue Lewis* they should submit a formal application like he had to do. Commissioner Smith pointed out that yesterday was the scheduled date/time for the road name change hearing and the only people the Board heard from asked for consideration to leave the name similar to what was on the platted subdivision. Mr. Limb said four people who live on the road submitted an application asking for it to be changed to *Sunset Meadows*. Commissioner Van Beek said she likes the proposed name, but it eliminates the history from the Lewis family so the Board is to trying to consider safety, history, and concerns that packages are being delivered to the correct address. There is no disrespect for the idea that's been generated; the Board is trying to meet all three of those objectives. The Board took a break at 9:23 a.m. so that Tony Almeida could check with emergency services on the availability of *Lewis Ranch* and *Sue Lewis* as a second choice. The Board went back on the record at 9:32 a.m. at which time Mr. Almeida reported he checked with emergency services and *Lewis Ranch Street* and *Sue Lewis Street* are both available. Of the two names Mr. Limb said he prefers *Lewis Ranch*. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously rename *Cindy Drive* to *Lewis Ranch Road* and to approve the amended FCO's prepared by staff. The hearing concluded at 9:35 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER SIGNING A RESOLUTION ISSUING A REFUND TO ANNA BAYES FOR PERMIT FEES PAID TO DEVELOPMENT SERVICES

The Board met today at 9:23 a.m. to consider signing a resolution issue a refund to Anna Bayes for permit fees paid to the Development Services Department. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, DSD Office Manager Jennifer Almeida, Chief Operating Officer Greg Rast, other interested citizens, and Deputy Clerk Monica Reeves. Ms. Almeida presented a refund request for Anna Bayes who submitted an application for a property boundary adjustment, and a building permit relocation easement reduction. The fees total \$760. The applicant has opted to move forward with just the property boundary adjustment application with a fee of \$330, and she is seeking a refund of \$430 which is the difference between the fee they paid and the property boundary adjustment fee. Upon the motion of Commissioner Van Beek and the second by Commissioner White, the Board voted unanimously to sign the resolution issuing a refund to Anna Bayes for permit fees in the amount of \$430 as presented by staff. (Resolution No. 23-003.) The meeting concluded at 9:25 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS CHANGE ORDER WITH HC COMPANY FOR THE FAIR EXPO BUILDING PEDESTRIAN BRIDGES

The Board met today at 9:49 a.m. to discuss a change order with HC Company for the Fair Expo Building pedestrian bridges. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Fair Director Diana Sinner, Controller Zach Wagoner, COO Greg Rast and Deputy Clerk Jenen Ross. Commissioner

Smith said she received a message from Brent Orton with the City of Caldwell stating that he'd spoken with their attorney, the mayor and the URA finance person and this is an allowable expense. Director Britton was able to work with HC Company and able to reduce the cost from approximately \$63,000 to \$57,792.80. The county will pay this upfront and submit an invoice to the URA for reimbursement. The Board will move forward with signing the PO for the pedestrian bridges.

The meeting concluded at 9:52 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:02 a.m. to consider action items. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Oscar Klaas, Sheriff Kieran Donahue, EOM Christine Wendelsdorf, Weed and Pest Cory Flatt, COO Greg Rast, Park Director Nicki Schwend, Assistant Park Director Laura Barbour, CCSO Waterways Sgt. Jason Roberts, Facilities Director Rick Britton, Eddie Owens with Deer Flat Wildlife Refuge, Other CCSO deputies, Members of the US Fish and Wildlife Service/Deer Flat Wildlife Refuge and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Idaho State Historic Preservation Office Certified Local Government Subgrant Application FY23: Director Schwend said they are applying for \$10,000 to conduct a survey of the Snake River Canyon downriver of Guffey Butte/Black Butte Archaeological District. This grant will help defray the cost of hiring a professional consultant to work with private landowners to see if they would like to have their land surveyed for archaeological purposes. The match amount is \$5000 and is covered by HPC grant monies paid out and HPC Board member and staff time. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Idaho State Historic Preservation Office Certified Local Government Subgrant application for FY23.

Consider signing MOU between Canyon County, by and through its Department of Parks, Cultural and Natural Resources, and the US Fish and Wildlife Service Deer Flat National Wildlife Refuge: This document has been reviewed several times and Director Schwend said the only revisions that have been made are ministerial. Ms. Klempel recently sent an email expressing legal's opposition to this MOU, however it has not been shared with DFNWR due to attorney-client privilege; the Board has authorized for that document to be forwarded to Mr. Owens as Commissioner Van Beek would like to give him the opportunity to rebut the opposition posed by Canyon County legal.

Mr. Owens spoke to the purpose of the refuge based on the Refuge Improvement Act of 1997.

This agreement is about the land, not the water. Parks is operating on DFNWR land and this is to indemnify the county. Mr. Owens explained this MOU is to ensure people are able to recreate on the refuge and maintaining access points in conjunction with preserving the wildlife. Additionally,

Director Schwend explained this MOU needs to be in place in order for the Parks department to apply for grants to make improvements.

Mr. Wesley feels this MOU gives federal control over the local level/resources is the biggest issue and that there is language regarding control and supervision from the federal level of the county that could be struck from the MOU. Mr. Wesley and Ms. Klempel spoke about how they feel some of the language is unclear.

Mr. Owens said this MOU only pertains to the refuge, to expand recreation and there is no intent of overreach outside of refuge boundaries and that any activities done on the refuge land adhere to the regulations that he is required to follow.

Ms. Klempel said that given past controversy she would like to see limiting language within the contract; this is not her advised path forward.

Commissioner Van Beek likes what's been done to move this forward and she is in favor of this.

Mr. Flatt expressed how this MOU would be beneficial to his department.

Sheriff Donahue requests that the elected officials get a chance to review the document and perhaps more clearly define some of the language to keep everyone out of court. He doesn't think it would be a hit to the partnership being created.

Mr. Owens feels like the legal concerns could have been addressed and doesn't think the MOU is binding to anything that can't be dissolved. He also noted that he doesn't believe there would be any objection from his side to tightening up the language.

Commissioner Van Beek made a motion to sign the MOU between Canyon County, by and through its Department of Parks, Cultural and Natural Resources, and the US Fish and Wildlife Service Deer Flat National Wildlife Refuge with the change to 7A that would include the addition of language that specifically talks about refuge owned land. Commissioner Smith second the motion. Commissioner White requested discussion, stating that she appreciates the fact that Mr. Owens is amenable to tightening up the language. She is not ready to sign until the language is tightened up and she would like to follow the Sheriff's suggestions of taking a pause allowing the MOU to be reviewed and language tightened. Commissioner Van Beek likes this document and feels the details have been ferreted out and she is still in favor of it. A vote was taken with the motion which carried in a 2-to-1 split vote with Commissioners Smith and Van Beek voting in favor and Commission White voting in opposition. See agreement no. 23-003.

The meeting concluded at 11:03 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING CANYON COUNTY PUBLIC SAFETY REBROADCAST AUTHORIZATION AGREEMENT, AND CONSIDER AUTHORIZING EMERGENCY COMMUNICATIONS MANAGER TO ENTER FUTURE MOUS ON BEHALF OF CANYON COUNTY

The Board met today at 11:12 a.m. to consider signing the Canyon County Public Safety rebroadcast authorization agreement and consider authorizing the Emergency Communications Manager to enter future MOUs on behalf of Canyon County. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Deputy P.A. Oscar Klaas, Sheriff Kieran Donahue, EOM Christine Wendelsdorf and Deputy Clerk Jenen Ross.

Sheriff Donahue explained this is to streamline the process and allow Ms. Wendelsdorf to sign-off in a more expedient manner. Ms. Wendelsdorf spoke about as the radio program administrator she is trying to get a process in place for BDAs which are signal boosters for more heavily constructed buildings such as schools or hospitals. Oftentimes in these kinds of buildings there are issues being able to communicate with the portable radios as they are not able to communicate outside of those buildings. This agreement and related MOUs will allow Ms. Wendelsdorf to ensure that BDAs are being installed properly, that the County and FCC are aware of them and that inspections are conducted annually. Currently there are approximately 1100 BDAs in Canyon County which Ms. Wendelsdorf is still working to track but going forward entities would have to have permission from the county before installation. Mr. Klaas said that legal has no concerns with the agreement or the boiler-plate MOU for use with other agencies. Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to sign the Canyon County Public Safety rebroadcast authorization agreement and authorizing the Emergency Communications Manager to enter future MOUs on behalf of Canyon County.

The meeting concluded at 11:22 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING CERTIFICATES OF NONCOMPLIANCE FOR ZONING/PUBLIC NUISANCE VIOLATIONS FOR THE FOLLOWING PROPERTIES

The Board met today at 11:24 a.m. to consider signing certificates of non-compliance for zoning/public nuisance violations. Present were: Commissioners Keri Smith, Pam White and Leslie Van Beek, Code Enforcement Supervisor Eric Arthur, Code Enforcement Officers Gary Westerfield and Katie Phillips and Deputy Clerk Jenen Ross.

Mr. Arthur provided a review of each of the following properties and the violations associated with them.

- 5109 Howard Lane, Nampa (public nuisance)
- 5201 Howard Lane, Nampa (public nuisance)
- 5601 E. Victory Road, Nampa (building and public nuisance)

- 6705 E. Flamingo Avenue, Nampa - R30469010 (public nuisance)
- 16950 Sand Hollow Road, Caldwell (zoning and public nuisance) – The Board would like to see SWDH notified due to multiple RVs being occupied on the property.
- 21728 Boise River Road, Caldwell (zoning)
- 26300 Sand Road, Parma (zoning and building)

Upon the motion of Commissioner Van Beek and second by Commissioner White the Board voted unanimously to issue certificates of non-compliance on the properties as noted on the agenda.

The meeting concluded at 11:37 a.m. and an audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 6, 2023

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

There were no meetings held this day.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 9, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIM

- The Board approved advance claim 591271 in the amount of \$136,894.25

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Woodcraft of Boise in the amount of \$6,699.90 for the Facilities department

SWEARING-IN CEREMONY FOR NEWLY ELECTED AND RE-ELECTED OFFICIALS

A swearing-in ceremony took place this morning at 9:00 a.m. in the meeting room of the Canyon County Administration Building where the following County officials were sworn into office: Clerk Chris Yamamoto, Commissioner Brad Holton, Commissioner Zach Brooks, Assessor Brian Stender, Treasurer Tracie Lloyd, and Coroner Jennifer Crawford. Oaths of office were administered by Clerk Chris Yamamoto. Clerk Yamamoto's oath of office was administered by Administrative District Judge Davis Vander Velde. The ceremony concluded at 9:15 a.m. Recorded oaths of office are on file with this day's minute entry.

MEETING TO CONSIDER APPOINTING CHAIR AND VICE-CHAIR OF THE BOARD OF CANYON COUNTY COMMISSIONERS; AND CONSIDER SIGNING LETTER APPOINTING REPRESENTATIVE TO THE SOUTHWEST DISTRICT HEALTH BOARD OF HEALTH

The Board met today at 10:00 a.m. to consider appointing the Chair and Vice Chair of the Board of Canyon County Commissioners, and to consider signing a letter appointing a representative to the Southwest District Health Board of Health. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Chief Operating Officer Greg Rast, Assessor Brian Stender, Ambulance District Director Michael Stowell, HR Director Kate Rice, Laura Holton, David Ferdinand, and Deputy Clerk Monica Reeves. Commissioner Van Beek read a statement into the record regarding the election of a Chairman and Vice Chairman noting that the titles do not convey any greater power or authority over the governing body, they only define who will preside over a meeting and who will help support the governing body. The Board is uniquely equipped with tenured public service, institutional knowledge, and a love for good government. This Board shares a common goal of trust, transparency, respect, unity, service, and teamwork. It is with these five core values that the 2023/2024 Canyon County Board of Commissioners will faithfully discharge the duties of its office. This Board will cooperatively, with robust and civil discussion, meet the challenges it has inherited and will focus on how to best use taxpayer dollars to fund services, plan for capital needs, and streamline efficiencies. The Board recognizes the inspiring privilege of having been elected to represent the people at the highest level in County government and each Board member values public decorum, polished persuasive professionalism, as well as unbiased and well-reasoned decision-making. There is great value in representing with dignity and honor those who elected the Board to public office. Commissioner Van Beek then made a motion to nominate Commissioner Brad Holton as Chairman, and a motion to elect herself and Commissioner Brooks as Co-Vice Chairs. Commissioner Brooks seconded the motion which carried unanimously. Commissioner Holton seconded the motion to have both Commissioner Brooks and Commissioner Van Beek serve as Co-Vice Chairs. The motion carried unanimously. The meeting concluded at 10:02 a.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner Van Beek made a motion to go into Executive Session at 10:02 a.m. pursuant to Idaho Code, Section 74-206(1) (b), regarding named personnel. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion by Deputy Clerk Monica Reeves with Commissioners Brad Holton, Leslie Van Beek, and Zach Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Leslie Van Beek, and Zach Brooks. The Board recessed at 12:02 p.m. and there was Board consensus to reconvene this afternoon at 1:15 p.m.

The Board went back on the record at 1:17 p.m. and took up the matter of the health board appointment which was listed as an action item on today's agenda. Present were: Commissioners Brad Holton, Leslie Van Beek, and Zach Brooks, as well as Deputy Clerk Monica Reeves. The item was considered as follows:

Action item: Consider signing letter appointing representative to the Southwest District Health Board of Health

Commissioner Van Beek made a motion to nominate Commissioner Zach Brooks to serve as Canyon County's representative on the Southwest District Health Board of Health and to rescind the appointment of former Commissioner Keri Smith who held the position which expires in June 30, of 2025. The motion was seconded by Commissioner Holton. Commissioner Brooks said he has attended SWDH board meetings irregularly over the last year and is also currently working with concerned citizens. The motion carried unanimously.

As part of today's ministerial items, the Board reviewed claims, purchase orders, and employee status change forms. There was Board consensus to schedule a discussion on Thursday, January 12, 2023 at 10:00 a.m. regarding employee status change forms.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks the Board reconvened in Executive Session at 1:18 p.m. A roll call vote was taken on the motion by Deputy Clerk Monica Reeves with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Chief Operating Officer Greg Rast arrived at 2:07 p.m. and left at 4:20 p.m. At 4:21 p.m., upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn the Executive Session. No decision was called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 10, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

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

The Board met today at 9:06 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Oscar Klaas, COO Greg Rast, Facilities Director Rick Britton (left at 9:24 a.m.), Assistant Facilities Director Carl Dille (left at 9:24 a.m.), Parks Director Nicki Schwend, Director of Court Operations Jess Urresti (left at 9:28 a.m.), Interpreter Coordinator Grace Almeida (left at 9:28 a.m.) and Deputy Clerk Jenen Ross.

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

The action items were considered as follows:

Consider signing Request for Qualifications for Warehouse and Shelter Project: This is for the new warehouse building adjacent to the animal shelter and reroofing three sections of the animal shelter. Director Britton would like to move forward with CMGC which reduces liability to the county in regard to change orders; ideally, CMGC will be used for both projects since they are adjacent to one another and will be a cost savings to the county. Mr. Klaas provided explanation of the process legal used in evaluating this model. Director Britton spoke about how this project will be advertised to the community in order to receive qualification submissions; Commissioner Holton indicated that he would like to see documentation of who this RFQ was sent to and that the rating schedule be made available to the public. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the request for qualifications for Warehouse and Shelter project.

Consider signing Legal Notice Requesting Statements of Qualifications for Warehouse and Shelter Project: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the legal notice requesting statement of qualifications for the warehouse and shelter project.

Consider signing Independent Contractor Agreement for Sign Language Interpreter Services with Sierra Mciver:

Consider signing Independent Contractor Agreements for Interpreter Services with Olcay K. Rached and Andrea Han dba Fang Yuan, Inc.: Ms. Klempel explained these are boiler-plate contracts which are on auto-renew annually. At the request of Commissioner Van Beek, Ms. Almeida spoke about what she does, the number of languages they must accommodate and the way she works to be most efficient with taxpayer dollars. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign independent contractor agreements

for interpreter services with Sierra Mciver (agreement no. 23-005), Olcay K. Rached (agreement no. 23-006) and Andrea Han dba Fang Yuan, Inc. (agreement no. 23-007).

Consider signing Canyon County Historic Preservation Support Award agreements with the Historical Society of Middleton, Nampa Public Library Foundation, Melba Valley Historical Society, Warhawk Air Museum and the Canyon County Historical Society: Director Schwend provided a history of the HPC and how it operates and gave a brief overview of each project. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign Canyon County Historic Preservation Support Award agreements with the Historical Society of Middleton (agreement no. 23-012), Nampa Public Library Foundation (agreement no. 23-008), Melba Valley Historical Society (agreement no. 23-010), Warhawk Air Museum (agreement no. 23-009) and the Canyon County Historical Society (agreement no. 23-011).

Discussion ensued regarding points of process in regard to large projects. The Board would like to do an RFQ for a roster of county architects.

The meeting concluded at 9:55 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER APPROVING COUNTY EXPENDITURE REPORT FOR PUBLIC DEFENSE COMMISSION

The Board met today at 10:00 a.m. to consider approving county expenditure report for the Public Defense Commission. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.D. Aaron Bazzoli, Controller Zach Wagoner, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Bazzoli provided an overview to the Board of what the PDC is, the formulas used for allocating funds to counties and the documentation and budget numbers he must provide for the reports. Discussion ensued regarding HB75 and the future of indigent public defense. The Board has requested a workshop with Mr. Bazzoli to better understand HB75 and the impact it may have when indigent public defense moves from a county run system to a state-run system. In response to a question from Commissioner Holton regarding the financial and staffing reports being posted to the website for transparency purposes Mr. Bazzoli said he would be fine with that.

Commissioner Brooks made a motion to approve the county expenditure report for the Public Defense Commission. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 11, 2023

PRESENT: Commissioner Brad Holton, Chair
Commissioner Leslie Van Beek, Co-Vice Chair
Commissioner Zach Brooks, Co-Vice Chair
Deputy Clerks Monica Reeves/Jenen Ross

The Commissioners attended an IAC District III Meeting in Payette County today.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 12, 2023

PRESENT: Commissioner Brad Holton, Chair
Commissioner Leslie Van Beek, Co-Vice Chair
Commissioner Zach Brooks, Co-Vice Chair
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Three Girls Catering to be used 1/21/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Eric Jensen, Interim IT Director; Jordan Hammond, Sergeant – Inmate Control 51003; Marcus Gomez, Permit Technician I; Garrett McRae, Corporal – Inmate Control 51003; Russell Donnelly, Lieutenant – Security Services 51001; Jace Thompson, Sergeant – Inmate Control 51003.

APPROVED CLAIMS ORDER NO. 2308

The Board approved payment of County claims in the amount of \$2,305,058.63 for a County payroll.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$12,471.20 for the Information Technology department
- Dell in the amount of \$2,191.96 for the Information Technology department
- Gunarama Wholesale in the amount of \$2,050.00 for the Sheriff's Office
- Les Schwab Tires in the amount of \$2,730.00 for the Landfill department

- First Responders/Uniforms2Gear in the amount of \$2,100.00 for the Sheriff's Office
- LN Curtis & Sons in the amount of \$40,100 for the Sheriff's Office
- FBI-LEEDA in the amount of \$1,590.00 for the Sheriff's Office

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:30 a.m. with county attorneys for a legal staff update. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Alex Klempel, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, COO Greg Rast and Deputy Clerk Jenen Ross.

Commissioner Van Beek said she has spoken with Jay Gibbons regarding the Codr land use case which currently has a request for reconsideration. Mr. Wesley said he will be meeting with Director Minshall next week to discuss the five cases where reconsiderations have been requested. Commissioner Van Beek believes that if the question about easements and access could be answered by the highway district the request for reconsideration on this specific case may go away. Mr. Wesley said that it would be appropriate for Director Minshall to reach out to the highway district to find out if they've made an official decision.

Commissioner Holton asked about public record requests that may come directly to Board members. Mr. Laugheed explained that the previous practice has been to funnel all public record requests through PIO Joe Decker to ensure they are getting to the right Office/department for an appropriate response. Mr. Laugheed and Ms. Klempel also addressed how they have handled requests for specific commissioner information (such as calendars) in the past.

The Board has requested help from legal in developing a boiler-plate response when a constituent contacts them to discuss land use cases that may be coming before Board.

COO Rast confirmed with Mr. Laugheed that the one-hour timeframe on Tuesdays and Thursdays reserved for legal staff updates should be sufficient. He also noted that Director Britton has already met with legal to start the process of developing an RFQ for architectural services to be used as a general list when services are needed. Discussion was had in regard to how legal works with Board DAs on requests; Mr. Rast feels there could be a more efficient way to determine prioritization. Commissioner Holton said he would like to see some kind of action item where official Board direction is provided on outlining the flow of how projects roll out.

Commissioner Holton said he is reluctant to make any final land use decisions without legal in the room. Discussion ensued regarding the logistics and possibility of making this happen.

The meeting concluded at 9:59 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B)

Commissioner Van Beek made a motion to go into Executive Session at 10:47 a.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 Brooks. Clarification was made that only subsection (b) is noted on the agenda. Commissioner Van Beek made an amended motion to enter into executive session pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The amended motion was seconded by Commissioner Brooks. A vote was taken on the motion with the Board voting unanimously to enter into executive session. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, HR Director Kate Rice and COO Greg Rast. The Executive Session concluded at 12:00 p.m. with no decision being called for in open session.

ACTION ITEM: CONSIDER EMPLOYEE STATUS CHANGE FORMS FOR THE SHERIFF'S OFFICE

The Board met today at 1:30 pm. to consider employee status change forms for the Sheriff's Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Sheriff Kieran Donahue, Lt. Martin Flores, Captain Harold Patchett, Sheriff's Financial Manager David Ivers, Lt. Travis Engle, Sgt. Russell Donnelly, Compensation/Benefits Analyst Bosco Baldwin, and Deputy Clerk Monica Reeves. Sheriff Donahue explained the process they use for submitting employee status change forms and how they have increased salaries to help with recruitment and retention, and to shift the paradigm of personnel leaving Canyon County for other agencies who are paying higher wages. Overtime and employee burnout have been a problem for a long time but from a competitive market standpoint, CCSO salaries are now in the middle and due to salary increases they have been able to hire people away from other law enforcement agencies. Commissioner Van Beek said she's been unable to ascertain from the Auditor's Office where we were at in the process of what was approved in the final budget. The increase that was given last fall appeared to have tightened up the loss of personnel. She wants to know what criteria the Sheriff's Office is using to evaluate performances to justify salaries because there has to be a way to measure for performance and reward for that, or, if they are not performing then they do not advance. Sheriff Donahue and Lt. Flores spoke about their evaluation process which includes yearly performance evaluations where employees are evaluated on a number of areas. They do not encourage benefitting people who are not earning their way. Lt. Flores spoke about how if employees did not meet standards the step increase was withhold, but if a cost of living adjustment was authorized by the BOCC that COLA would be applied. In reviewing three employee status change forms for promotions for a corporal, a sergeant and a lieutenant, Commissioner Brooks asked how the Sheriff's Office determines the pay and extra responsibilities and supervision that goes along with that. Bosco Baldwin explained the step program which was designed so that someone who's in a higher-level position (corporal, sergeant, captain) does not have people reporting to them that earn more than they do and historically that occurred quite frequently where people who were reporting to a sergeant or lieutenant would earn more for various reasons whether overtime or different factors. There was discussion regarding years of service and how the Sheriff's Office is

now doing more one-for-one on their years of service. Commissioner Van Beek said Chief Hart expressed in a previous meeting that he did not want the Sheriff's Office to continue to be used as the funding source - when underfunding the budget to recruit what you need and saying we don't have to take 3% or new construction - that was a revelation and it needs to be fixed during the budget cycle. So you budget in a realistic way for what you can recruit for and that we don't continue to use the Sheriff's budget as the piggybank for the County. Sheriff Donahue agrees with Commissioner Van Beek's point and said he has never been comfortable with the fifth quarter budget and that it was expectant upon the Sheriff's budget to help fund. Commissioner Van Beek said it's her understanding there will be no pay increases for four years. Lt. Flores said there is no step taking place come FY2024, the next one would be for FY2025, and it will be the first time people would step in the scale. Mr. Baldwin said if there is a COLA then the ranges would change and they would receive that, but there is no staircase, they will not go up for the next fiscal year. Those who have been applied into payroll are locked into that number, other than specialty pay which may go up or down. There was discussion regarding the year-over-year cost. Sheriff Donahue said employees have to realize they will not see another base pay increase until FY2025. The approved employee status change forms are on file with this day's minute entry. The meeting concluded at 2:25 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 13, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chairman
 Commissioner Zach Brooks, Co-Vice Chairman
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 591272 to 591320 in the amount of \$303,789.41
- The Board has approved claim 591321 Advance in the amount of \$4,413.00
- The Board has a special jury claim in the amount of \$5,751.80
- The Board has approved claims 591322 to 591353 in the amount of \$28,794.94

BOARD OF COMMISSIONERS STAFF WORKSHOP

The Board met today at 9:01 a.m. for a workshop with staff. Present were: Commissioners Brad Holton, Leslie Van Beek, and Zach Brooks, Chief Operating Officer Greg Rast, PIO Joe Decker,

Deputy Clerk Jenen Ross, and Deputy Clerk Monica Reeves. Controller Zach Wagoner and Auditing Supervisor Sarah Winslow arrived at 10:15 a.m. The following topics were discussed:

BOCC Schedule Adoption

- Majority of meetings will occur on Tuesdays, Wednesdays and Thursdays; Mondays and Fridays can be used for prep time, outreach, events, etc.
- Commissioner Van Beek requested messaging be sent about the change in how the BOCC interfaces with other offices and that it would take one other Commissioner to agree to a single Commissioner meeting with another elected official and that the information would be reported back to the BOCC. There was discussion regarding a BOCC communications policy.
- Scheduling requests will be sent to BOCCscheduling email address.

Organizational Chart

Job Descriptions

- With the new compensation program HR will be reviewing all job descriptions, titles, etc., and any content changes will stay within HR to update. Only substantial changes such as salary change or title change will come to the BOCC for review.

Internal Communications

- Employee handbook (personnel manual) was recently updated but no communication was sent about its adoption. Need to improve internal communications in a timely fashion. PIO will work with HR to prepare a message to employees with BOCC approval.
- In regards to messaging, Commissioner Van Beek wants a greater involvement at the leadership level and maybe that includes taking the *Commissioners' Corner* meetings to all nine cities.

Open Government

- Replace the County Organizational Chart tab on the website with an Open Government tab that lists the 24 x 7 x 365 services that are available. It's a one-stop where people can easily access County services and important updates. Consolidate the most used services on one page.
- Display the County video tour on monitors in the courthouse lobby. (*Video was produced via a grant through NACo, at zero cost to the taxpayer.*)

Go Green - Paperless efforts /LED lighting

- Things the County is doing to reduce the carbon footprint. BOCC believes a better title would be Cost Saving and Efficiency Measures rather than Go Green.

5-Cores Values – TRUST Acronym

Transparency

Respect

Unify

Service

Teamwork

- BOCC will adopt the acronym next week via a resolution, and work with the Facilities Dept., to display a sign in the BOCC meeting room.

Miscellaneous items

- There was Board consensus to list office terms for elected officials on the website.
- There was additional discussion with staff regarding scheduling.
- Controller Zach Wagoner and Auditing Supervisor Sarah Winslow arrived at 10:15 a.m. to discuss the OnBase claims batch approval process and answer questions for the BOCC about viewing claims information in PowerPlan (OnBase).
- Commissioner Holton will talk with PIO Decker regarding precinct information.

The meeting concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 17, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chairman
 Commissioner Zach Brooks, Co-Vice Chairman
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 591354 to 591399 in the amount of \$82,127.34

MEETING WITH COUNTY ATTORNEYS FOR 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, Brad Holton and Zach Brooks, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Director of Juvenile Detention Sean Brown (left at 9:34 a.m.), EOM Christine Wendelsdorf (left at 9:44 a.m.),

Controller Zach Wagoner, Clerk Chris Yamamoto, Chief Deputy Sheriff Doug Hart (left at 9:44 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Memorandum of Agreement between County of Malheur, State of Oregon and County of Canyon, State of Idaho for Detention of Juveniles: This contract is to provide housing to juveniles if need be with a daily rate of \$210. Mr. Wesley explained this contract is slightly different from similar Idaho MOAs mainly relating to liability and Oregon law. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the memorandum of agreement between the County of Malheur, State of Oregon and County of Canyon, State of Idaho for detention of juveniles (see agreement no. 23-013).

Consider Subrecipient Agreements with Idaho Office of Emergency Management: Ms. Wendelsdorf explained counties get a certain amount of funds based on population to be used for equipment and projects related to emergency services. These agreements were sent directly to the previous Board while they were still in office but were never forwarded on for review and consideration so they still list Pam White as the contact. Ms. Wendelsdorf said she has updated the information in the system and can provide updated paperwork for Board signatures. Ms. Klempel recommended that the Board can approve the documents on the record and sign administratively once the updated documents are provided. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Idaho Office of Emergency Management 2022 Subrecipient agreement 2022 EMPG and Supplemental (see agreement no. 23-014) and the Idaho Office of Emergency Management 2022 Subrecipient agreement State Homeland Security Grant Program (see agreement no. 23-015).

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

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 9:44 a.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 Brooks. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross 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 Leslie Van Beek, Zach Brooks and Brad Holton, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley and COO Greg Rast. Case Manager Kellie George joined the meeting at 9:54 a.m. Mr. Yamamoto, Mr. Wagoner and Ms. George left the meeting at 10:21 a.m. The Executive Session concluded at 10:29 a.m. with no decision being called for in open session.

The meeting concluded at 10:21 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ASSESSOR REGARDING OCCUPANCY PTR EQUALIZATION

The Board met today at 10:32 a.m. with the county Assessor regarding occupancy PTR equalization. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assessor Brian Stender, COO Greg Rast and Deputy Clerk Jenen Ross. Assessor Stender provided the Board with a history and explanation of how the PRT program operates. This year there were 19 applications for the PTR which will be sent to the Idaho State Tax Commission for consideration. Of the 19 properties the Assessor's Office believes 13 will qualify. Commissioner Brooks made a motion to equalize the property values as noted in the report provided by Assessor Stender. The motion was seconded by Commissioner Van Beek and carried unanimously. A copy of the document signed by Assessor Stender is on file with this day's minutes.

Discussion ensued about how the community is notified about this program.

The meeting concluded at 10:46 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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

Commissioner Van Beek made a motion to go into Executive Session at 11:00 a.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 Brooks. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross 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 Leslie Van Beek, Zach Brooks and Brad Holton, COO Greg Rast and Tim Osborne from ICRMP. The Executive Session concluded at 12:00 p.m. with no decision being called for in open session.

Note for the record: this meeting was agendized to include subsection (i) to communicate with risk manager regarding pending/imminently likely claims but the motion did not include this subsection.

WORKSHOP WITH CHIEF PUBLIC DEFENDER TO DISCUSS LEGISLATIVE HB735

The Board met today at 1:49 p.m. with the Public Defender to discuss legislative HB735. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Public Defender Aaron Bazzoli, COO Greg Rast and Deputy Clerk Jenen Ross. Mr. Bazzoli provided a history and background of the Idaho Public Defense Commission and Canyon County's Public Defenders' department.

A PowerPoint presentation was provided to the Board outlining the following:

- Make-up of the PDC Board members
- Regional Chief Public Defenders

- PDC – Executive Director
- Review of how Public Defense in Idaho is unique
- Issues with singular oversight and control
- Pending *Tucker* litigation

A secondary PowerPoint provided a review of individual state public defense and how that could possibly operate.

A copy of both presentations is on file with this day's minutes.

The meeting concluded at approximately 3:10 p.m. Due to issues with the recording system only a portion of this meeting was recorded.

MEETING TO DISCUSS THE LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND UNDER THE AMERICAN RESCUE PLAN ACT

The Board met today at 3:30 p.m. to discuss the Local Assistance and Tribal Consistency Fund under the American Rescue Plan Act (ARPA). Also scheduled as a possible action item to consider designation of an authorized representative and contact for the Local Assistance and Tribal Consistency Fund (LATCF) Certification. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Civil Deputy Sam Laugheed, Treasurer Tracie Lloyd, COO Greg Rast, and Deputy Clerk Monica Reeves. The LATCF is associated with the ARPA which has a total of \$2 billion dollars for payments to eligible counties and Tribal governments. There is broad discretion on the monies and they can be used for any governmental purpose except for a lobbying activity. Eligible counties include those who participate in the Payments in Lieu of Taxes (PILT) program. Canyon County does participate in the program and based on the amount of federal land in in Canyon County we received a payment \$55,674 in FY2022 from the federal government. The allocation of LATCF is based on the number of acres of federal land in the County and it's also tied to an economic distress index and based on those factors Canyon County's allocation has already been determined and our allocation is two payments of \$50,000 each for a total of \$100,000. It was interesting to note that Owyhee County's allocation is \$7.5 million. If we accept the monies it requires an annual expenditure report to be completed by March 31st of each year until all monies are spent. Eligible uses include: capital expenditures, provision of public safety services, and general government operations including personnel and operations. Controller Wagoner is strongly in favor of accepting of the \$100,000. Chief Civil Deputy PA Sam Laugheed reviewed the program and agrees with Controller Wagoner's discussion of the conditions and how it works. We haven't applied for anything yet and in order to get the funding we need a member of the Board of Commissioners to be designated as the authorized representative to be able to get on the federal government's website portal and enter the necessary information and then we can get the legal terms and conditions. In the past the Board has identified a member to serve in that role, and that member would access the information and bring it back to the Board for action. The contact person has been the Controller

for the financial information and then once we get all the details there would be another meeting to decide whether to authorize the representative to click “yes” on the website. There was Board consensus for Commissioner Brooks to be the County’s representative. Chief Laugheed said we had done this for the ARA (American Recovery Act) monies in general but the Commissioner who was the authorized representative is no longer here so we need to clear that up as a ministerial item. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to authorize Commissioner Zach Brooks as the authorized representative, and Zach Wagoner shall be the contact person. Controller Wagoner has an account established through the Department of Treasury and he will update the information so Commissioner Brooks can receive some communication from the Treasury about the next steps. This needs to be finalized/approved by January 31st. There was discussion regarding federal land in Canyon County. Treasure Lloyd will follow up with the Assessor to obtain a map that identifies the federal ground. The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners’ Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 18, 2023

PRESENT: Commissioner Brad Holton, Chair
Commissioner Leslie Van Beek, Co-Vice Chairman
Commissioner Zach Brooks, Co-Vice Chairman
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$12,693.04 for the Information Technology department
- Dell in the amount of \$5,823.33 for the Information Technology department
- Complete Canine Training, LLC in the amount of \$1,680.00 for the Sheriff’s Office

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Patrick Collins, Deputy Sheriff – Patrol 41006; and Beaudy Harrington, Application Support Analyst I.

MEETING WITH FACILITIES DIRECTOR FOR PROJECT STATUS AND PRIORITIES

The Board met today at 10:10 a.m. with the Facilities Director for a project status and priority update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Facilities Office Manager Becky Kersley,

Director of Misdemeanor Probation Jeff Breach, PIO Joe Decker, COO Greg Rast and Deputy Clerk Jenen Ross. Director Britton updated the Board on the following projects:

Elections building:

- Piece of property east of the animal shelter
- 12,000 sq. ft. space
- Estimated cost is \$3,300,000 (\$275 to \$350 sq. ft.)
- Other items reviewed include infrastructure already in place, secure storage, drive-thru for ADA accommodations, parking and training room space.
- Once the current elections space is vacated it could open up space opportunities for other departments such as Misdemeanor Probation; at the request of the Board, Director Breach spoke about the space needs for his department.
- ARPA funds could be used for this project

Commissioner Holton wants to make sure the facility will be able to accommodate growth and not have to be duplicated in 5 years. Director Britton said he and the Clerk envision this being a 10-year plan. They have looked for other property/options and there is just nothing available that will work for this need. Additional conversations with the Clerk and other affected parties may be beneficial.

Warehouse:

- Moving forward with CMGC
- Approximate cost is \$2.5M
- The county currently rents a 5,000 sq. ft. off-site space for \$50,000 annually
- This would be a 10,000 sq. ft. insulated warehouse with concrete floors and fenced parking
- Once concept would be to divide the space into thirds for PPE storage/CCSO needs, 1/3 basic county storage, 1/3 surplus property storage

Director Britton feels that 10,000 sq. ft. will be adequate but can look into the possibility of it being increased to 12,000 sq. ft. Commissioners Van Beek and Holton are supportive of possibly increasing the size. Commissioner Brooks said he is supportive of the elections building as he knows and understands that need but would like a map of all county facilities to have a better understanding of these proposals. Director Britton confirmed he will get a map to the Board denoting all county facilities.

Sheriff Admin building:

- Will be placed on the juvenile justice parking lot
- 4-story building with the first two floors being secured parking and the other two floors being office space; each floor would be 28,000 sq. ft.
- Would provide an EOC/ training room, staff offices, house the CID, pre-trial release, SILD, armory, fitness room, updated/expanded dispatch center
- Approximate cost of \$27M (\$250K-\$350K sq. ft.)

COO Rast will work with Controller Wagoner to determine what projects have been earmarked for ARPA funds.

The Board would like to get community input on a Sheriff's building with possible workshops with area law enforcement. The Board is supportive of Director Britton continuing to move forward but would like a better idea of the needs of the county.

A brief overview of the new Facilities dashboard (FORT) management system was provided.

There is a need for a journeyman HVAC position and Director Britton will be speaking more with the Board about this in the future.

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

WORKSHOP MEETING WITH FAIR DIRECTOR FOR DISCUSSION AND DIRECTION

The Board met today at 11:18 a.m. with the Fair Director for discussion and direction. Present were: Commissioners Leslie Van Beek (left the meeting at 11:54 a.m.), Brad Holton and Zach Brooks, Fair Director Diana Sinner, Facilities Director Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross. Directors Sinner and Britton reviewed the following with the Board:

The Center/Events Center:

- Currently there is only a temporary occupancy permit in place which allows Fair staff in the building but no public events.
- Director Britton provided a construction update on completion steps of the pedestrian bridges and anticipates full occupancy in mid-February.
- An issue has arisen with members of the Sheriff's Office advertising that a Valentine's Day fundraising event will take place in the new building although there was no commitment by Fair staff that the building would be done or that occupancy would be allowed. Discussion ensued regarding the situation and the Board is not in favor of allowing this event to go forward; there are occupancy laws that must be followed. Director Sinner plans to reach out to the City of Caldwell and explain her side of the story in this situation as she feels that she and her staff have been misrepresented by CCSO staff to the City of Caldwell in regard to this matter. The Board will provide support on Director Sinner's behalf if need be.

Fair Building/The Center rental fees:

- Discussion regarding options for determining building rental fees. There needs to be further discussion with legal regarding the statutes that guide setting a fee structure.
- Based on Director Sinner's request for clear direction in regard to scheduling of the meeting space, the Board feels that no matter the group, there needs to be a charge for the meeting room space.

- With Board support, Director Rast will send a follow-up email outlining Board direction today

The meeting concluded at 11:59 a.m. and an audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 19, 2023

PRESENT: Commissioner Brad Holton, Chair
Commissioner Leslie Van Beek, Co-Vice Chair
Commissioner Zach Brooks, Co-Vice Chair
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 591354 to 591399 in the amount of \$82,127.34
- The Board has approved claims 591400 to 591448 in the amount of \$67,825.60
- The Board has approved claims 591449 to 591487 in the amount of \$54,550.65
- The Board has approved claims 591488 to 591515 in the amount of \$47,322.57
- The Board has approved claims 591516 to 591553 in the amount of \$78,807.43
- The Board has approved claims 591554 to 591578 in the amount of \$46,833.31
- The Board has approved claims 591579 to 591597 in the amount of \$10,247.00
- The Board has approved claims 591598 to 591614 in the amount of \$43,192.72

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for William Robert Schorr, Deputy Sheriff – Inmate Control 51003; Cody James Alexandru Ghinghina, Deputy Sheriff – Inmate Control 51003; Gerreson David Spencer – Deputy Sheriff – Inmate Control 51003; Seth Robert Reisbeck, Deputy Sheriff – Inmate Control 51003; and Paula Lee Rhodes, Communication Officer – 41012.

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for 1918 Lounge to be used 1/20/23 and 2/2/23.

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

The Board met today at 9:07 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 (arrived at 9:33 a.m.), Deputy P.A. Alex Klempel (left at 9:36 a.m.), Sgt. Jason Roberts (left at 9:32 a.m.), Treasurer Tracie Lloyd (left at 9:13 a.m.), DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, Chief Deputy Sheriff Doug Hart (left at 9:32 a.m.), Sheriff Kieran Donahue (left at 9:32 a.m.), Tim Riha with Owyhee County (left at 9:32 a.m.), Shea White with Western White Water (left at 9:32 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution for Award of Officer's Badge and Duty Weapon: Sheriff Donahue said that Captain Armstrong has worked for CCSO for 27 years and provided a review of the areas within the Office he has worked. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution for award of Officer's Badge and Duty Weapon to Cpt. Armstrong (see resolution no. 23-004).

Consider Treasurer's Tax Charge Adjustments by PIN for December 2022: Treasurer Lloyd provided a review of the report and addressed questions posed by Commissioner Van Beek about specific adjustments. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for December 2022.

Receive public comment regarding Sole Source Procurement of 2022 SJX Jet Boat Model SJX2170 from SJX Jet Boats, Inc; and

Consider Authorizing Execution of 2022 SJX Jet Boat Model SJX2170 from SJX Jet Boats, Inc. Sales Agreement after opportunity for public comment:

Sheriff Donahue explained this specific boat can be used on both Lake Lowell and on area rivers. They have chosen to go sole source due to uniqueness of this area and having a shallow river. The boat currently in use has been in use since 1971 – it is not used for rescue and can't get up to speed properly. Sheriff Donahue said that in his experience this is the type of boat that is needed for this area. Three quotes were reviewed and it came down to one design that really works for CCSO needs. There is a grant in place for \$93,000 which will be used toward the purchase of this boat.

No written comments were received in regard to the sole source procurement.

Sgt. Roberts explained the purchase of the boat and trailer have been broken into separate purchases. These items are individually useful and can be used independently. The trailer cost is under the threshold for sole source procurement.

Mr. Riha with Owyhee County expressed his appreciation of CCSO and support of this purchase.

Commissioner Van Beek made a motion to authorize execution of 2022 SJX Jet Boat Model SJX2170 from SJX Jet Boats, Inc. sales agreement pursuant to public comment. The motion was seconded by Commissioner Brooks. Commissioner Van Beek amended her motion to include the purchase of a trailer and the amended motion was seconded by Commissioner Brooks. The amended motion carried unanimously.

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 9:36 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 roll call vote was taken on the motion by Deputy Clerk Jenen Ross 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, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister and COO Greg Rast. The Executive Session concluded at 10:34 a.m. with no decision being called for in open session.

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

CONSIDER RESOLUTION TO REINSTATE COMMISSIONERS SALARIES

The Board met today at 11:02 a.m. to consider a resolution reinstating the Commissioners' salaries. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, HR Director Kate Rice, Compensation/Benefits Manager Bosco Baldwin, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Controller Zach Wagoner, Trial Court Administrator Jamie Robb, several employees from the Sheriff's Office, a member of the media, and Deputy Clerk Monica Reeves. As part of the FY2023 budget hearing in August of 2022, a Board majority reduced the salary for each Commissioner to \$90,000 annually. Today's resolution would set Commissioners' salaries to the FY2023 proposed amount of \$112,360.73 annually, which includes a 9% COLA increase. COO Rast said his position was put into political play and used against the salary reduction and said the cost of living has hit us all and it's not fair to exclude certain individuals from a COLA. Reinstating the salaries is the right thing to do and try to find some cost savings through FY2023 to cover the small differential. Commissioner Van Beek read a prepared statement of her comments supporting the salary reinstatement and the 9% COLA. Sheriff Donahue concurs with COO Rast that the salary reinstatement is the right thing to do and if we have to open the budget to find those funds it needs to be done. Commissioner Brooks is concerned about signing a resolution to increase salaries when the budgeted amount was set at \$90,000. Controller Wagoner said the County has the finances to support the salary proposal and the formal budget adjustment can come later down the road. Commissioner Holton said he

watched the salary process last year, and he does not believe the previous Board followed the open meeting law and their decision to reduce salaries was capricious and arbitrary. HR Director Kate Rice said she supports the proposed resolution and the appropriate salary amount. Commissioner Brooks is interested in seeing what the process is for budget reconciliation towards the end of the year. He's not used to spending more money than he has with the intention of making the books correct later in the year and he's not comfortable with that, however, he is also not comfortable with the way the salary reduction occurred. There was discussion about how adjustments are a standard part of business, with discussion and verification that there is sufficient cash to cover the expense. Commissioner Brooks said he was caught off guard that we didn't already have the money in the budget. He does not want this Board to get caught in a continuation of setting a budget and then routinely throughout the year amending the budget especially when it comes to salaries. He would like the Board to set the budget so the public can depend on what is going forward. If major expenses or emergencies come up of course they have to be dealt with, but as far as salaries he wants to see a set number and stick what it until the next budget cycle. COO Rast said there is a vacant clerical position in the BOCC's administrative staff that's not filled and if we keep it vacant a little longer it could absorb the salary increase. Commissioner Van Beek made a motion to reinstate Commissioner salaries with a cost-of-living adjustment. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Van Beek, Brooks, and Holton voting in favor. The motion carried unanimously. (Resolution No. 23-005.) The meeting concluded at 11:43 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:33 p.m. for a meeting with the Director of the Development Services Department to discuss general issues, set policy, and give direction. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, DSD Planning Official Dan Lister, COO Greg Rast, and Deputy Clerk Monica Reeves. Director Minshall gave a PowerPoint presentation titled *Workshop #1 - Development Application Process and Future Workshop Planning*, a copy of which is on file with this day's minute entry.

Topics

- Values and Goals
- Quantity, challenges/concerns, and in-progress improvements
- Suite of solutions
 - Options and pros/cons
 - Board direction
 - "Findings" and building the record/conditions/development agreements
- Constituent questions - how to handle inquiries or concerns, site visits, timelines and feedback

- Direction Needed
- Resource manual and content
- Final plat and FCO process for signature
- Introduce: Decision requirements and parameters
- Planning and Zoning Commission and membership (add)?/joint meeting - trainings

Direction Needed

- Timelines for notices and BOCC hearings, staff report and draft findings process/public input and application revisions (late exhibits)
- General direction on role of P&Z, approach to significant changes, 2nd hearings and timings
- External communication and implementation of timeline for changes
- Process, timeline and expectations for constituent/applicant inquiries
- Feedback on workshop topics proposed
- What information would the Board like in a resource manual. Hard copy or electronic?
- General direction on approach for acceptance of final plats, approval of findings (if not at hearing)

Applications

136 public hearing cases

- 10 at BOCC
- 10 at P&Z
- 116 in Review; of those
 - 40 applicant action
 - 25 engineering review
 - 27 final plats
 - 20 planner review
 - 3 removed

Challenges/Concerns

- Quantity of applications and review/hearing time
- Staffing and capacity of team - training and expertise
- Decorum, structure, and civility at hearings
- Very large packets to P&Z and BOCC; late exhibits and changes at hearing
- Transparency and public access to timely information at milestones
- Process between P&Z and BOCC
 - Input “loops” for public comment due to changes and delays
 - P&Z use as practice -changes from applicants after P&Z negotiation and new information at BOCC

- Staff report and BOCC draft findings aren't able to consider new information/written comments
- Public input limited quality as new information, changes occur and lack of available documents
- A lot of formal public information requests
- Discussion and decisions (at P&Z and BOCC) not structure or adhering to criteria in code/state law
- Quality of findings "FCO's"

In Progress Improvements

- Improved Customer Service
 - Public office hours adjusted
 - Rotating "counter" planners
- Public Office hours to consider team need for team training, team case review, long range planning, etc.,
- Communication to applicants on status of submittal and any missing information and deadlines (12/30)
- Completeness reviews prior to acceptance
- Agency notice timelines and process on applicable public hearing cases
- Streamlined project management and accountability for case documentation
 - Monday.com and CAPS
 - Testing period for online payment for select permits
 - Project DOX online submittals
- County Engineer PE License, Keller to supplement
- Continued assessment of staffing and focus on training

Suite of Solutions

- Hearing schedule and notifications
- Staff report and presentations
 - Timing and use of staff expertise
 - "Findings" and building the record
- Late exhibits
- What constitutes "significant changes - requiring additional hearing (BOCC or back to P&Z as amended application)
- Use of P&Z Commission - Coordination
- Other?

Proposed Schedule

- Staff review Goal of 45-60 days
- February 1st -Hearing dated selected (P&Z or BOCC)

- February 6th - Notice
- February 22nd - Deadline for written comment
- February 23rd - March 5th - Packet prepared
- March 6th Packet to P&Z or BOCC
- March 16th - Hearing date
- FCO's same meeting after decision is rendered: OR if Board makes changes at meeting, FCO's return within 30 days to be approved or signed

Constituent Questions

- How to handle inquiries or concerns
- Timelines and feedback to BOCC
- Site visits
- BOCC standard response when receiving inquiries/concerns

Proposed Workshop Topics

- Priority/interest level (1-10): 10 is high
- Specific questions or issues by topic
- Order and scheduling
- P&Z Attendance
- External agency coordination
- What is missing?

Next steps

- What is the priority level for each Commissioner on meeting/workshop topics?
- Open training workshops to P&Z Commission?
- Joint meeting with the P&Z Commission and the BOCC

A roundtable discussion followed on the topics noted above. The meeting concluded at 3:42 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 20, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Park Place Technologies in the amount of \$8,953.36 for the Information Technology department

DETENTION CENTER INSPECTION CONDUCTED

The Board conducted a quarterly inspection of the detention center. The Board evidenced proper care and security and the inmates' welfare throughout the facility. General grievances were filed and have been processed in accordance with standard procedures. A copy of the completed tour/inspection form is on file with this day's minute entry.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 23, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Helena Thompson, Administrative Analyst; and Chet Teats, (Lead) Heavy Equipment Operator.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Smith's Lawnmower in the amount of \$17,540.00

BOCC STAFF WORKSHOP

The Board met today at 9:01 a.m. for a BOCC staff workshop. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, PIO Joe Decker, and Deputy Clerks Jenen Ross and Monica Reeves. The following topics were discussed:

Purchase Order threshold

Any expenditure over \$1,000 requires BOCC signature before procurement can be made

- The policy was set by the BOCC many years ago
 - The cost of business has increased

- Controller concepts. He runs reports on department costs, what expenditures are, etc.
- COO Rast recommends IT, Fleet and Facilities Departments have a \$5,000 threshold
 - Commissioner Van Beek likes the idea, but there will be pushback as the threshold is only increasing for BOCC departments. County could realize savings in excess funds in accounts that are not budgeted for and she thinks Fleet Director and Facilities Director should have spending authority with subaccounts for tracking. We need a purchase order policy, and asset tracking done through IT.
 - Commissioner Brooks questioned the proposed threshold of \$5,000 and the perception of what that looks like when it is just for BOCC departments. Feels \$2,500 threshold would be more appropriate. Commissioner Van Beek agrees.
 - There was a Board majority to go forward with the concept of a \$2,500 threshold for IT, Fleet, and Facilities. Formal action from BOCC will follow.

Points of Interest

1. Quick Overview – CCSO/CCIT MOU
2. Brian Baughman (The Hartwell Corporation) – Insurance Overview One-on-One
 - Will set up Executive Session for insurance discussion
3. Dispatch Equipment Overhaul – 911 Funding Overview (1/30/2023)
 - PIO will do a press release
 - BOCC wants to observe the dispatch center once the equipment is installed
4. BOCC Department Tours to start February 3rd
5. There is interest in doing a jail video tour, with outside drone footage
6. Prepare for meetings scheduled for the week of January 23, 2023

PIO Update

5-Core Value Definitions

T ransparency	Openness, communication, and accountability
R espect	Treating people with courtesy, politeness, and kindness to help find common ground and solve disagreements peacefully
U nify	Bringing people or ideas together for a common purpose, action, or belief. <ul style="list-style-type: none"> ● Working together to find common ground in a shared situation to reach the best available outcome.
S ervice	Putting the interests of and service to the public above the interest and service of oneself
T eamwork	Maximizing individual strengths and shared values to reach a common purpose or goal while ensuring mutual accountability.

- Working together towards a common purpose by maximizing individual strengths, shared values, and mutual accountability.

The Facilities Director will order letters (TRUST) to display on the meeting room wall.

Web – New Concepts

Open Government

Add new section: *2C Community Communications*

Online Services

Projects - ARPA

Mobile Apps

Jail Education and Project

TRUST Definitions

Budget Postings

Organizational Chart

Budget Actuals

New/Events

Social Media

A monitor will be placed outside the BOCC office door that displays the daily agenda. There was discussion regarding: new sections being added to the website; appointments to boards and committees where County representation is needed/requested; i.e. Western Alliance for Economic Development, Treasure Valley Partnership, Metro Community Services, Children's Mental Health SWDH, Joint Behavioral Health Board Sub-Committee, and Valley Regional Transit.

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

EXECUTIVE SESSION TO CONSIDER A PERSONNEL MATTER, PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B) AND (F)

Commissioner Van Beek made a motion to go into Executive Session at 1:30 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (f) to discuss named personnel and records exempt from public disclosure, and imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion by Deputy Clerk Monica Reeves with Commissioners Holton, Van Beek, and Brooks 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, COO Greg Rast, HR Director Kate Rice, Weed and Gopher Superintendent AJ Mondor, Lead Weed Applicator Corey Flatt, Sr. Weed and Gopher Applicator JC Nissen. Director Rice, Mr. Mondor, Mr. Flatt, and Mr. Nissen left at 1:52 p.m. The Executive Session concluded at 1:58 p.m. with no decision being called for in open session. While in open session, Chairman Holton said the Board will be in recess until this afternoon or tomorrow morning. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 24, 2023

PRESENT: Commissioner Brad Holton, Chair
Commissioner Leslie Van Beek, Co-Vice Chair
Commissioner Zach Brooks, Co-Vice Chair
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claim 591616 ADV in the amount of \$30,784.59
- The Board has approved claim 591711 in the amount of \$584.25

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Uplift Desk in the amount of \$1,356.00 for the Trial Court Administrator
- Canyon County Fleet in the amount of \$3,213.00 for the Solid Waste department
- Priority Dispatch in the amount of \$1,825.00 for the Sheriff's Office

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Heather Coatney, Clerk II; and Allie Cimolino; Clerk II.

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, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley (left at 9:41 a.m.), Deputy P.A. Oscar Klaas (left at 9:38 a.m.), Director of Juvenile Detention Sean Brown (left at 9:35 a.m.), EOM Christine Wendelsdorf, COO Greg Rast and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider Juvenile Detention Housing Agreement with Owyhee County: The is the standard form agreement that is signed annually; there are no changes from last year. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Juvenile Detention Housing Agreement with Owyhee County (see agreement no. 23-018).

Consider public official bonds and crime insurance as to form and legal sufficiency: These bonds are just for Commissioners Brooks and Holton as the other elected officials signed theirs in December of 2022. Per Mr. Wesley, elected officials are required by statute to be bonded. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the official bonds and crime insurance as to form and legal sufficiency. The signed and recorded documents are on file with this day's minutes.

Meeting to discuss changing the Canyon County Local Emergency Reporting Authority (LERA) from the Caldwell Fire Chief to the Canyon County Emergency Manager: Ms. Wendelsdorf provided some background information about the LERA stating that about 30 years ago Canyon County gave LERA authorization to the Caldwell Fire Chief. There has since been a change in personnel and the Caldwell Fire Department is supportive of moving this back to the county and the emergency operations manager. Ms. Wendelsdorf said there will be no additional liability with this change, it's more about notification related to hazardous material incidents in unincorporated Canyon County. The Board is supportive of moving this back to the county but did request that Ms. Wendelsdorf work with COO Rast and/or legal to prepare a resolution in order to memorialize the action.

The meeting concluded at 9:44 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 1:36 p.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross.

Commissioner Van Beek made a motion to approve the lien releases for case nos. 2022-494 and 2022-499. The motion was seconded by Commissioner Brooks and carried unanimously.

Case no. 2023-13 meets the eligibility criteria for county assistance for cremation and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve case no. 2023-13.

Director Baker provided a review of assignments of cases approved by the County indicating the percentage based on the amount the county paid and percent the catastrophic fund paid. She requested that the Board approve acknowledgement of the assignments. Commissioner Van Beek made a motion to approve the Canyon County Indigent Services Idaho Catastrophic Healthcare Cost Program Reimbursement Assignment as presented by Director Baker. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 1:44 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSES FOR EL RICO PAN BAKERY, AND EL PATRON EVENT CENTER

The Board met today at 1:53 p.m. to consider resolutions for alcoholic beverage licenses for El Rico Pan Bakery and El Patron Event Center. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast and Deputy Clerk Jenen Ross. Commissioner Brooks made

a motion to approve the resolutions for alcoholic beverage licenses for El Rico Pan Bakery and El Patron Event Center. Commissioner Van Beek seconded the motion noting that the Board reviewed the paperwork and did not find any reason not to sign. The motion carried in a unanimous vote. The meeting concluded at 1:54 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: MEETING WITH FACILITIES DIRECTOR TO PROVIDE DIRECTION ON CAPITAL PROJECTS

The Board met today at 3:33 p.m. for a meeting with the Facilities Director to provide direction on capital projects. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Facilities Director Rick Britton, Jodi Edwards from the Facilities Dept., and Deputy Clerk Monica Reeves. PIO Joe Decker arrived at 3:40 p.m., and left at 3:52 p.m. COO Greg Rast arrived at 3:41 p.m. Director Britton reported on the following future projects:

- ***New warehouse building*** – Increase square footage from 10,000 sq. ft. to 12,500 sq. ft. by adding another bay to the back of the structure toward the railroad tracks instead of building up. Another 2,500 square feet can be added with minimal cost to redesign the blueprints. To date the County has spent \$80,000 for A&E fees. The County has signed the CM/GC to move forward with the warehouse and animal shelter project at the same time because it will save \$750,000 to \$1M. This project was handed to him three-quarters of the way done. Commissioner Holton has concerns about the building being undersized; he wants to build square footage for storage and have it service the County for the next 10 years. Commissioner Brooks agrees with the extract 2,500 square footage. Commissioner Van Beek asked about increasing the size to a total of 15,000 square feet. Director Britton said extending it by that much would result in a full redesign. He could look at doing an awning, and he noted that his staff can do the fencing portion of the project. He will obtain a quote for a heated floor to keep it above freezing (not to heat the structure), plus an overhead shop unit. (2,500 feet out on the north, and 2,500 feet with an awning to the west.) We have ARPA funding in the amount of \$37+M, and he would like wants to get the warehouse project and animal shelter going and see what we have left for the other projects. Project cost estimate: \$2M to \$2.5M
- **Animal shelter re-roof** - We have exceeded the 20-year life expectancy of the canvass roof which was built in 2001. There is no insulation and energy efficiency is lacking. The project will go another six feet up to an awning style roof and do a hard roof with acoustical sound boards to help tamper some of the barking, and to have an exhaust return air above as well. The holding areas do not currently have anything for cooling. This process started 2-years ago and he has stamped prints completed. Last year his department spent \$30,000 to finish the stamped set of blueprints, and this year the County reduced the shelter's amount of \$100,000 down to \$60,000 because we knew the shelter would be re-roofed

this year. There was discussion regarding the need for an inhouse HVAC journeyman; the Board agrees and wants to bring the salary to a competitive level because in the long run, having the expertise inhouse will be a cost savings. Project cost estimate: \$1.5 to \$2M.

- **New Elections building** - 12,000 to 15,000 square feet. The current space is 4,700 square feet. Commissioner Holton thinks the facility should be 15,000 square feet, and he said it would be helpful to get the passports division back into that facility, but we need to check with the Clerk about that. We need to forego the drive-up window due to expense; he would be nice to have a lane that has an overhang to keep people out of the rain and snow. There needs to be a workshop with the BOCC and Clerk Yamamoto and his staff soon to talk about the costs and moving forward. It will require an RFQ process.
- **Sheriff's Administration Building** - 110,000 to 112,000 square feet; and the annex jail demolition (laundry, hydronic loop pipe, dispatch generator, main switch gear west side courthouse, arraignments and Clerk storage)

There will be two floors of parking garage, 2 floors of administrative office space, and they would look at moving the dispatch center into this facility. The jail annex demolition is on the list of projects. If we move Dispatch that would be a huge starting point for the annex building because it frees up a generator and gets some of the power needs out of there even though we still have a power cabinet that runs the west side of the courthouse. CCSO has space needs. He would like to hire an owner's representative in the facilities department; he needs more space, maybe he could utilize the CCSO current space for maintenance/facilities. Perhaps we could move the Public Defender as well. The BOCC needs space as well. We need to have a workshop with Sheriff and his staff. There will be secure parking for the judges, and it will open space for the Fleet Shop. There are a lot of space needs and we have funding so we need to prioritize what we want to move forward with. The BOCC will have a workshop with the Sheriff; Director Britton would like to ask Brad Daniels from the City of Nampa to attend as well. Commissioner Van Beek said it's important we develop a staged capital improvements plan. Director Britton agreed there needs to be a plan, but we are in a different circumstance here with the funding that has to be used by 2024. Greg Rast said instead of doing the ala carte approach he would like to see a full-on plan of the improvement project and providing information to the community. Commissioner Holton said the old jail annex has walls that range from 1-foot to 3-foot and it cannot be removed overnight so there needs to be planning on how it will be done. We need to do our own inhouse workshop and get our heads together and then bring in technical resources and roundhouse this again because it's going to take experience and depth greater than what's here to think it through. Director Britton said it will require conversations with structural, mechanical, and electrical engineers. Commissioner Holton is concerned the footprint is too small and the goals of having green space and landscape space are impeding what we need to do. Director Britton will try to

meet with Steve Fultz from the City of Caldwell and see what he can come up with. Commissioner Brooks think it's an easy sell, especially after a recent jail tour and what they learned about how it will take the dismantle the annex. A well-marketed staged approach is an easy sell to the public once they understand the scope of what we are dealing with.

- **Research market value and properties for sale from 13th Avenue to 15th Avenue, from Chicago Street to the railroad tracks to assist with campus growth.** Assessor Stender is helping with the research market value for each home and to see if any are for sale. Director Britton wants to purchase properties along Albany Street for parking, and he plans to speak with officials from the City of Caldwell. He has \$570,000 in his budget for property acquisition. The BOCC is okay with Director Britton doing the background and coming back with a formal presentation that can be scheduled for a decision. He will also ask the City of Caldwell if they support County plans to locate a jail in this area. The BOCC would be willing to meet with the city as well.

The meeting concluded at 4:56 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 25, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 591712 to 591713 in the amount of \$1,675.95

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Chuck Gentry, Captain – Field Services Admin 41007.

MEETING TO CONSIDER THE IDAHO DEPARTMENT OF PARKS AND RECREATION WATERWAYS IMPROVEMENT FUND GRANT APPLICATION FOR 'CELEBRATION PARK SNAKE RIVER BOATER IMPROVEMENTS'

The Board met today at 10:00 a.m. to consider the Idaho Department of Parks and Recreation Waterways Improvement Fund Grant Application for 'Celebration Park Snake River Boater Improvements'. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks,

Parks Director Nicki Schwend, Outdoor Recreation Planner Alex Eells, Assistant Parks Director Laura Barbour, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Schwend said that this application is due by January 27th and needs a signature from the Waterways Committee. Canyon County does not have a Waterways Committee so in that case signatures would need to come from the Board of Commissioners. She explained that funds for this grant come from a percentage of the state gas tax and provided pictures to the Board of the area they would like to renovate. Mr. Eells has been working with J-U-B to create drawings and a budget to submit with the application which can also be used as part of the grant match dollars. In addition to the J-U-B fees, a project to renovate the parking lot and the purchase of 3 dock sections for a total of \$81,632.09 will be used as grant match; the requested grant amount is \$377,637.68 with a match of \$81,632.09 for a total amount of \$459,269.77. Commissioner Van Beek made a motion to approve and authorize the chairman to sign the Idaho Parks Department of Parks and Recreation Waterways Improvement Fund Grant Application for 'Celebration Park Snake River Boater Improvements'. The motion was seconded by Commissioner Brooks and carried unanimously. A copy of the grant application document is on file with this day's minutes.

Commissioner Van Beek would like to schedule a meeting to review the recently signed MOU with the Deer Flat National Wildlife Refuge. Discussion ensued regarding the gun range, work that has been done there and possible security options. The Board directed Director Schwend to compile some additional information and possible solutions to closing the liability exposure. As there continue to be conversations about what to do with the gun range Commissioner Holton wants to make sure there is community input on the subject.

The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 26, 2023

PRESENT: Commissioner Brad Holton, Chair
Commissioner Leslie Van Beek, Co-Vice Chair
Commissioner Zachary A. Brooks, Co-Vice Chair
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 591617 to 591643 in the amount of \$22,678.81
- The Board has approved claims 591644 to 591667 in the amount of \$64,230.35

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change form for Mallory DeFord, Interpretive Specialist; Kelle Branstetter, Assistant Building Plans Examiner.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Best Buy in the amount of \$1,544.19 for the Information Technology Department
- Dell, Inc., in the amount of \$5,823.33 for the Information Technology Department
- Carbon Networks, LLC., in the amount of \$4,500.00 for the Information Technology Department

TABLE PUBLIC HEARING - REQUEST BY TONY ELORDI FOR A DEVELOPMENT AGREEMENT MODIFICATION ASSOCIATED WITH CASE NO. PH2016-30

The Board met today at 9:02 a.m. regarding the request by Tony Elordi for a development agreement modification associated with Case No. PH2016-30. Present were: Commissioners Brad Holton, Zach Brooks, Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planner Michelle Barron, DSD Planner Samantha Hammond, COO Greg Rast, and Deputy Clerk Monica Reeves. The case was scheduled to come to the Board today, but DSD staff saw an opportunity to come up with an alternative that might be more feasible and work better for everybody, including the neighbors. Staff will meet with the applicant next month and will recommend taking the case back to the P&Z Commission because it will be a substantial change to the original request. There was discussion about having the applicant pay for noticing costs; the DSD procedure for incoming applications; and the tabling of cases. Director Minshall recommended the Elordi case be tabled to a date certain. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to forward the case to March 1, 2023 at 1:30 p.m., but if there isn't a resolution two weeks prior, the March 1st date will be vacated. The meeting concluded at 9:17 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR LAKHOTA SUBDIVISION, CASE NO. SD2021-0014

The Board met today at 9:30 a.m. to consider the final plat for Lakhota Subdivision, Case No. SD2021-0014. Present were: Commissioners Brad Holton, Zach Brooks, Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planner Michelle Barron, DSD Planner Samantha Hammond, COO Greg Rast, Lynette Garcia, other interested persons, and Deputy Clerk Monica Reeves. DSD Planner III Michelle Barron gave the project background and noted that all eight conditions have been met. *(Condition #8 referenced plat note #8 but it should be plat note #12. Staff will make the change in their records.)* Staff recommends the Board sign the final plat. The Board had follow-up questions for staff. Commissioner Holton said the language that states "*the owner plans to continue to work with the district for the water delivery*" is insufficient and has the potential to cause a problem relating to the irrigation system. Director Minshall said staff has found places we

need to codify in our ordinance of what our expectations are and she will get some guidance from legal on what needs to go in the ordinance and what can be our process. There will be discussion of things that will help the applicants and the County be protected, and ways to improve efficiency on plats. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the final plat for Lakhota Subdivision, Case No. SD2021-0014, with the corrections noted by staff regarding Condition #8. The meeting concluded at 9:49 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTIONS FOR ALCOHOLIC BEVERAGE LICENSES

The Board met today at 10:03 a.m. to consider resolutions for alcoholic beverage licenses. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, and Deputy Clerk Monica Reeves. The resolutions were considered as follows:

- Cappuccino Cowgirls Bistro (New)
- OVG Hospitality (Transfer)
- OVG Hospitality (Transfer)

Upon the motion of motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the license for Cappuccino Cowgirls and the transfer licenses OVG Hospitality (two transfer licenses) as presented. (Resolution Nos. 23-008 and 23-009.) An audio recording is on file in the Commissioners' Office.

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

Commissioner Brooks made a motion to go into Executive Session at 1:03 p.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding a personnel matter. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion by Deputy Clerk Monica Reeves with Commissioners Holton, Van Beek, and Brooks 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, PIO Joe Decker, COO Greg Rast, and HR Director Kate Rice. Mr. Decker left at 1:30 p.m. The Executive Session concluded at 1:31 p.m. with no decision being called for in open session.

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

The Board met today at 1:34 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 Office Manager Jennifer Almeida, DSD Planner Michelle Barron, DSD Planner Debbie Root, COO Greg Rast and Deputy Clerk Jenen Ross. Director Minshall reviewed her PowerPoint presentation as follows:

Direction needed

- Confirm support for approach to changes and expectation to applicants and public input
- Confirm new process and schedule
- Confirm applicability and schedule
- Confirm Board processing of “administrative actions” such as FCOs, final plats, refunds, etc.
- Future workshops
- Joint P&Z meeting
- Approach to P&Z membership
- Approach to economic development

Review of the discussion and Board direction had at previous meetings

- The Board would like a reference manual – needs to be determined what that content will look like
- The Board would like training and guidance from DSD and legal regarding building the record and decision parameters by type; decision parameters (by type) and quality findings; constituent/applicant contact and site visits
- Reduce late exhibits and changes
- Completeness review vs. pre-application meeting (charges and time)
- Standard response and process to constituent questions related to applications or DSD processing and policies
- Access to dashboard of status of applications
- Desire to work collaboratively with P&Z and clarification of roles
- Processing efficiency and quality vs. need to update ordinance of the planning and entitlement flow.
- Conditional rezone vs. rezone
- Zoning relationship with comprehensive plan designation
- Process, and flow of entitlement steps between comprehensive plan, rezones, plats, development agreement
- How it has been vs. options for future processes
- Conditional use permits and process/timeline
- Next workshops – 3-4 sessions, need to keep a linear and future focus

Review of desired outcomes

- Predictability, consistency and fairness
- Transparency for process – both the applicant and public
- Quality of proposals increased

- Quality of public comments
- Reduce lengthy hearings at BOCC (caused by new negotiation at hearing)
- Reduction of new information late in the process – *discussion ensued on possible ways to prevent participants from submitting late exhibits at the time of hearing and potential ways to handle the situation.*
- Staff report and draft findings are more comprehensive
- BOCC discussion connected to decision parameters of findings
- Findings and written decisions are clear and tied to decision parameters
- Reduce requests for reconsideration regarding process concerns or quality of findings

Types of applications/process

- A review was provided of the handout which outlines case types and the hearing process for each

Proposed process/schedule

Applicability and upcoming hearings

Theoretical example of applicant changes

Direction needed

- Confirm support for approach to changes & expectation to applicants and public input
- Confirm new process and schedule
- Confirm applicability and schedule
- Confirm Board processing of “administrative actions” (FCO, Final plat, refunds, etc.)
- The Board is in consensus of the above noted items.
- Future workshops
- Joint P&Z meeting – *Commissioner Holton would prefer to have the meeting in the Commissioner’s meeting room and wants to make sure it’s clearly defined as a workshop between the BOCC and the P&Z Board vs. a regular P&Z Board hearing.*
- Approach to P&Z membership
- Approach to economic development

The meeting concluded at 2:49 p.m. An audio recording is on file in the Commissioners’ Office.

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

The Board met today at 3:01 p.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. Oscar Klaas, Deputy P.A. Alex

Klempel (left at 4:03 p.m.), Landfill Director David Loper (left at 3:07 p.m.), Clerk Chris Yamamoto (left at 3:42 p.m.), Director of Indigent Services Yvonne Baker (left at 3:42 p.m.), Indigent Services Case Manager Kellie George (left at 3:42 p.m.), COO Greg Rast, Election staff Haley Hicks and Brandi Long (left at 3:10 p.m.), HR Director Kate Rice (left at 3:59 p.m.), Fair Director Diana Sinner (participated from 4:35 p.m. to 4:55 p.m.), Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider FY2023 Pickles Butte Sanitary Landfill Dust Control System Project Solicitation of Bids:

Director Loper explained this project was put out to bid in 2022 but only one bid was received that he thought was a little high. This will be a 2nd try to see if more bids are received or if bids come in at a different price point; there will also be another opportunity to address any questions. Discussion ensued regarding the tank size noted in attachment 1 – it is documented as 10,000 gallons but is actually 15,000 gallons – the change will be noted in the paperwork. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the FY2023 Pickles Butte Sanitary Landfill Dust Control System Project Solicitation of Bids.

Consider Resolution Classifying Records of the Canyon County Clerk and Authorizing Destruction of Certain Records:

Ms. Hicks explained how the documents to be destroyed meet all the requirements and some exceed the required timelines. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution classifying records of the Canyon County Clerk and authorizing destruction of certain records (see resolution no. 23-010).

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

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 3:10 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 Brooks. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross 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. Oscar Klaas, Deputy P.A. Alex Klempel (left at 4:35 p.m.); Clerk Chris Yamamoto, Director of Indigent Services Yvonne Baker and Case Manager Kellie George participated from 3:10 p.m. to 3:42 p.m.; HR Director Kate Rice participated from 3:10 p.m. to 3:59 p.m.; Fair Director Diana Sinner participated from 3:59 p.m. to 4:30 p.m.; DSD Director Sabrina Minshall participated from 4:35 p.m. to 4:55 p.m. The Executive Session concluded at 4:55 p.m. with no decision being called for in open session.

At the conclusion of the executive session the following action item was taken up:

Consider the requests for reconsideration for Case No. RZ2021-0055: Commissioner Van Beek made a motion to uphold the decision regarding the Codr conditional rezone, RZ2021-0055, and adopt the amended FCOs. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 4:56 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC DEFENDER CONTRACT APPROVAL WITH MOLITOR & ASSOCIATES, LLC

The board met today at 5:01 p.m. for a Public Defender contract approval with Molitor & Associates, LLC. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Public Defender Aaron Bazzoli, COO Greg Rast and Deputy Clerk Jenen Ross. Mr. Bazzoli explained that Ms. Molitor is a professional lobbyist that has been worked with over the past year regarding state public defense. Last year she was employed with the Idaho Association of Criminal Defense Lawyers as a lobbyist. Ms. Molitor has been instrumental in maintaining contact with the governor's office and coordinating to meet with the governor's group as well as working with different legislators. Due to Ms. Molitor no longer being employed with IACDL a number of counties and individuals are contributing funds in order to contract with Ms. Molitor. This contract would be very issue specific, to assist in working on state public defense this year only, Mr. Bazzoli feels that \$5000 should be sufficient to concentrate on this issue alone. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the Molitor and Associates, LLC expenditure of \$5000 for a lobbyist as presented by Director Bazzoli to present at the state legislature to assist with the public defense issue.

The meeting concluded at 5:11 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 27, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zachary A. Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS ORDER NO. 2309

The Board approved payment of County claims in the amount of \$2,172,201.79 for a County payroll.

APPROVED CLAIMS

- The Board has approved claims 591668 to 591710 in the amount of \$93,189.96

- The Board has approved claims 591714 to 591763 in the amount of \$96,669.84
- The Board has approved claims 591766 to 591776 in the amount of \$21,090.50
- The Board has approved claim 591765 in the amount of \$13,456.25

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- SJX Jet Boats in the amount of \$93,292.00 for the Sheriff's Office

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 2/3/23, 2/5/23, 2/17/23, 2/25/23, and 2/28/23.

BOCC STAFF WORKSHOP

The Board met today at 9:00 a.m. for staff workshop. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, PIO Joe Decker, CIO Eric Jensen, Programmer Analyst Ryan Cronrath, Development Manager Rick Fisher, Project Manager Shawn Adamson, Deputy Clerks Jenen Ross and Monica Reeves. COO Rast reviewed his schedule of meetings with department heads about upcoming projects including the fiber project between the City of Caldwell and the County (airport to be connected to our data center through fiber optics; sewer project from Darigold to the fairgrounds; and the fiber optics around the O'Connor/Fairgrounds/Simplot Stadium complex). IT staff gave a preview of Commissioners' new agenda which includes some enhancements such as BOCC voting records and attendance, a search capability, and functions to view supporting documents. The meeting concluded at 9:30 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: MEETING TO AUTHORIZE/RATIFY ACCEPTANCE OF LATCF FUNDS

The Board met today at 3:02 p.m. for a meeting to authorize/ratify acceptance of LATCF funds. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Civil Deputy PA Sam Laugheed, Controller Zach Wagoner, Deputy PA Zach Wesley, Deputy PA Oscar Klaas, HR Director Kate Rice, COO Greg Rast, Clerk Chris Yamamoto, and Deputy Clerk Monica Reeves. Controller Wagoner has been identified as a contact person and Commissioner Brooks has been authorized to be the Board's representative for purposes of accessing the terms and conditions on the federal government portal. Chief Laugheed had sent an email to the Board that had a map of federal land and there was some attorney-client communication about that. When Commissioner Brooks logged into the program it said he accepted everything simply by logging in and so we either need to ratify that or say no, we didn't mean to do that. Chief Laugheed has reviewed the terms and conditions and they look standard in terms of what the federal

government usually asks us to do, and there is no legal reason not to move forward with ratifying the acceptance. Controller Wagoner said the County has broad discretion over how the monies can be used. We'll receive two payments of \$50,000 each and his recommendation is for the current fiscal year that we apply the first payment to the Commissioners' Office salaries and benefits to cover what may be needed there. Commissioner Van Beek asked the Controller to create a separate line item for the LATCF or PILT funds so we can track the debits and credits. Controller Wagoner said it can be done, but with 2,671 individual line items they try to keep that as reasonable as possible and don't want to create an overabundance of line items. Commissioner Van Beek is in favor of accepting the funds, but said the Board doesn't have to decide immediately and there is no restriction on how the funds are used. Controller Wagoner said the funds cannot be used for lobbying activities for lobbying purposes. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to authorize the signature to ratify the acceptance of the LATCF or PILT funds as presented today. Chief Laugheed advised there are other matters to discuss in Executive Session under Idaho Code, Section 74-206(1) (b), (d) and (f). The Executive Session was held as follows:

EXECUTIVE SESSION – PERSONNEL MATTER, 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 3:06 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) personnel matter, records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion by Deputy Clerk Monica Reeves with Commissioners Holton, Van Beek, and Brooks 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 Civil Deputy PA Sam Laugheed, Deputy PA Zach Wesley, Deputy PA Oscar Klaas, HR Director Kate Rice, and COO Greg Rast. Chief Laugheed, and Deputy PA's Wesley and Klaas left at 3:25 p.m. The Executive Session concluded at 4:10 p.m. with no decision being called for in open session.

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

JANUARY 2023 TERM
CALDWELL, IDAHO JANUARY 30, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zachary A. Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

Commissioners attending IAC Midwinter Legislative Conference at the Riverside Hotel in Boise, Idaho.

JANUARY 2023 TERM

CALDWELL, IDAHO JANUARY 31, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zachary A. Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

Commissioners attending IAC Midwinter Legislative Conference at the Riverside Hotel in Boise, Idaho.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 1, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

Commissioners attending IAC Midwinter Legislative Conference at the Riverside Hotel in Boise, Idaho.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 2, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

Commissioners attending IAC Midwinter Legislative Conference at the Riverside Hotel in Boise, Idaho.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 3, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 591900 to 591925 in the amount of \$14,960.00
- The Board has approved claims 591926 to 591953 in the amount of \$244,279.56
- The Board has approved claims 591954 to 591984 in the amount of \$269,594.15
- The Board has approved claims 591777 to 591817 in the amount of \$87,359.68
- The Board has approved claims 591818 to 591857 in the amount of \$78,596.96
- The Board has approved claims 591858 to 591899 in the amount of \$112,368.54
- The Board has approved claims 591985 to 592023 in the amount of \$230,830.88

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hanson Janitorial in the amount of \$3699.30 for the Sheriff's Office
- SJX Jet Boats in the amount of \$21,267.00 for the Sheriff's Office
- Kurt USA in the amount of \$1530.00 for the Sheriff's Office
- Dell in the amount of \$1676.14 for the Information Technology department
- Carbon Networks, LLC in the amount of \$14,475.00 for the Information Technology department
- Right! System Inc. in the amount of \$2578.91 for the Information Technology department
- Campbell Tractor & Implement in the amount of \$12,700.00 for the Weed & Pest department
- MHS in the amount of \$1037.86 for the Misdemeanor Probation department
- Conrad & Bischoff in the amount of \$1750.00 for the Solid Waste department
- RBH Architects in the amount of \$20,940.00 for the Facilities department
- Idaho Electric Signs in the amount of \$3804.00 for the Facilities department
- Acco Engineered in the amount of \$16,037.00 for the Facilities department
- Acco Engineered in the amount of \$9806.00 for the Facilities department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Joshua Gallup, Court Clerk II; Lea Durfee, Heavy Equipment Operator; Colin Welch, Juvenile Probation Officer; Larry Haney, Interpretive Specialist; Kenneth Nicodemus, Deputy Sheriff – CCNU 41006; and Martin Flores, Lieutenant – Field Services Admin 41007.

COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Garrett Hilsabeck.

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, and Deputy Clerk Monica Reeves. COO Rast updated the Board on the meetings he attended this past week, and as a result of some of those discussions he has some meetings have been placed on the Board's agenda. Topics are summarized as follows:

Landfill/Solid Waste:

- He met with Director Loper and with the LFG Group regarding their desire to set up an energy project around the methane gas feeding back into the nature gas pipeline. We do not know the quality and quantity of the methane and we told LFG we are not interested in partnering with them at this time.
- Upcoming meetings:
 - Flare station presentation
 - Tour of the solid waste facility
 - Appointments to the Solid Waste Advisory Committee
 - The landfill director has concerns about people putting in their own transfer stations and constituents may pay more for trash transfer than what the County can provide it for.
 - There are questions about competing with private industry.
 - Mike Murgoitio has approached the County about this; the City of Nampa supports his proposal.

Dispatch equipment update

Meetings with City of Caldwell:

- Three fiber projects with City of Caldwell: COO Rast and Facilities Director Britton met with city officials to discuss three (3) fiber projects: sewer project; airport; and fairgrounds. County will help the city architect with conduit, and pathways and fiber optic terminations to feed that area to Spud Stadium, Simplot, rodeo grounds, and O'Connor Fieldhouse for high bandwidth connectivity. City is using ARPA funds.

- 2C Community calendar will be coming for those areas.

County Fair:

- Brent Orton with the City of Caldwell helped us obtain the full temporary certificate of occupancy and we can now hold events at The Center at the fairgrounds; the full certificate of occupancy will be issued once the City of Caldwell completes its culvert and fencing work.
- A Fair fee schedule will be coming to the BOCC for review.

Misdemeanor Probation:

- Met with Director Breach for a discussion regarding a department handbook for policies and procedures.

Juvenile Probation:

- Discussion regarding staffing and other programs
 - Repurpose project coordinator position to assistant director position
 - Will look at job titles related to PERI Rule 80 vs Rule 90

Fleet:

- Vehicle Use Policy is 10 years old
 - Fleet Director has been trying to get an updated policy so it can be meshed with the new personnel manual/handbook. Will assist the Fleet Director with a redline version to get to Legal.
 - With the new insurance we need to maintain driver's license numbers for those who are authorized to drive. Fleet Director believes it's an HR function, not a Fleet function. HR investigator runs a driver's license check each quarter to see who is on the "naughty list" and that is forwarded to Fleet.
 - Commissioner Van Beek said there has been a lot of work on the policy and it is critical for the Board to evaluate the issue in a timely manner. Commissioner Holton proposed a motion to instruct the Chief to be back with the first meeting to solve this issue within 45 days. Commissioner Van Beek made a motion to instruct Chief Rast to expedite the gathering of information and presentation of policy to the Board to get the Fleet side of this covered. The motion was seconded by Commissioner Brooks and carried unanimously.
 - There was discussion regarding the need for a current asset list and the need to have an accounting of equipment.

New agenda program for the BOCC:

- The program is in the test phase
- A display monitor will be placed outside the BOCC office

Ambulance District:

- Director Stowell wants to schedule a tour; creation of a service book
- Traffic is impacting EMS getting to scenes
- IT services

Roundtable discussion with the City of Caldwell

- Proposed second administration building.
- The city is willing to discuss the creation of a zoning district in Caldwell for County government.
- Commissioner Van Beek wants to explore a local improvement district (LID) with the intent to bring conduit so we can have lighting along Albany Street.

Met with the Controller:

- ARPA funds
 - Carwash being installed at Fleet shop is \$165,000 was earmarked, but it pulled out of ARPA and put it in the Fleet budget. The Controller has said we could use ARPA funds to pay for that.
 - Use of ARPA funds, and timelines for spending; we are \$6M short of spending all of the ARPA funds, and possible use of leftover funds.
 - Projects earmarked for ARPA: Elections, animal shelter, warehouse, the county building, and potentially the carwash.
 - Revenue replacement.
 - BOCC will follow up with the Controller on the ARPA funds topic.

BOCC Schedule:

- COO Rast reported that people really like the new Board's schedule.
 - Controller had questions regarding the Board's budget schedule. COO Rast will work with directors to have standard notes for significant changes to their budgets.
- Discussion regarding the upcoming budget process and expectations.

Payroll Approval Process:

- Auditor's Office requires two responses for approval. Controller will work with IT about putting a payroll batch in OnBase.
 - Commissioner Van Beek wants additional information when there are significant payouts such as overtime, terminations, etc.

Upcoming meeting with Sheriff's Office to discuss communication on jail project:

- They want to involve community, stakeholders, police chiefs

COO Rast requested the Board go into Executive Session as follows:

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 10:32 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter and 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, and COO Greg Rast. The Board recessed at 11:48 a.m. and Chairman Holton said the Board will reconvene at 1:35 p.m. this afternoon. The Board went back on the record at 2:59 p.m. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, and COO Greg Rast. Commissioner Van Beek made a motion to return to Executive Session pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter and records exempt from public disclosure. The motion was seconded by Commissioner Brooks and carried unanimously. The Executive Session concluded at 4:26 p.m. with no decision being called for in open session.

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

FEBRUARY 2023 TERM
CALDWELL, IDAHO FEBRUARY 6, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Cherry Kelly, Sr. Admin. Specialist - CCNU; Nicole Lewis, Customer Service Specialist - Booking; Susan Highness, Part-time Customer Service Specialist; Ebony Ferreira, Part-time Customer Service Specialist; and Lily Brown, Part-time 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, Deputy Clerk Jenen Ross, and Deputy Clerk Monica Reeves. HR Director Kate Rice arrived at 9:10 a.m. The Board reviewed the following topics:

Upcoming Meeting Schedule for BOCC and Individual Commissioners

Discussion regarding appointments to Boards/Committees:

- Valley Regional Transit - Commissioner Holton made a motion to instruct staff to prepare a resolution appointing DSD Director Sabrina Minshall serve as a primary, and COO Greg Rast and Commissioner Holton to serve as alternates to the VRT Board. The motion was seconded by Commissioner Van Beek and carried unanimously. The motion is contingent upon Director Minshall's scheduling allowing her to attend the meetings.
- Staff will check with COMPASS board and committees, and the Area 3 AAA Senior Services Agency to see if their respective bylaws require a Commissioner attend, and confirm their meeting schedules.
- Caldwell Urban Renewal Board - Commissioner Van Beek had previously offered to sit on this board, however, the city vetoed her name. The Board is scheduled to consider this appoint on February 8, 2023.
- Discussion regarding Western Alliance for Economic Development and the importance of having an economic development specialist.

COO Rast reviewed his meeting schedule this week with Sheriff's Office; a joint meeting with the CIO and COO from Ada County; and the monthly meeting with department administrators.

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

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 9:31 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter and 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, COO Greg Rast, HR Director Kate Rice and PIO Joe Decker. The Mr. Decker left at 9:44 a.m. The Executive Session concluded at 9:45 a.m. While in open session Commissioner Holton asked staff to schedule an Executive Session for Wednesday, February 8, 2023 and to consider the signature of documents immediately following that session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 7, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PAYROLL FEBRUARY 10, 2023

The Board approved the February 10, 2023 payroll in the amount of \$2,280,942.43.

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Bonnie Peters, temporary Customer Service Specialist.

PUBLIC HEARING - REQUEST BY KENT MORGAN AND GINA MORGAN FOR A CONDITIONAL REZONE, AND A SHORT PLAT FOR COOPER SUBDIVISION, CASE NOS. RZ2021-0048 & SD2021-0060

The Board met today at 10:00 a.m. to conduct a public hearing in the matter of a request by Kent Morgan and Gina Morgan for a conditional rezone, and a short plat for Cooper Subdivision, Case Nos. RZ2021 and SD2021-0060. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner Samantha Hammond, DSD Planner Michelle Barron, COO Greg Rast, DSD Director Sabrina Minshall, Lance Warnick, Kent Morgan, and Deputy Clerk Monica Reeves. DSD Planner I Samantha Hammond gave the oral staff report. The request is for a conditional rezone of Parcel No. R29799018 from Agriculture to Rural-Residential, and a short plat for Cooper Subdivision. The subject property is located on the south side of Kuna Road, east of Southside Boulevard in Nampa and is the result of multiple land divisions that occurred on the original parcel without going through a land use process. In 2006 a conditional use permit was approved to divide approximately five acres into the subject parcel and a second parcel subject to conditions of approval that required the applicant to plat within three years and be completed within five years, however, they did not comply with the conditions of approval and it was not platted, therefore, the CUP has expired. The application is for the property to obtain a building permit. Ms. Hammond reviewed the comprehensive plan goals and policies as well as the conditional rezone analysis. There are currently 10 subdivisions within the area with a combined total of 109 lots with an average of 2.21 acres per lot. The future land use designation is agricultural and the property is considered to be 100% best suited soils and prime farm ground if irrigated. The site is located within a nitrate priority area. If approved, the final plat will be brought back for BOCC review. The proposed plat is for a one-lot subdivision on approximately three acres, with a proposed building envelope of 1.75 acres. There was a review of agency responses. The P&Z Commission recommended approval of the applications subject to conditions of approval. Following her testimony, Ms. Hammond responded to questions from the Board. Lance Warnick testified on behalf of the applicant. This is a simple process where the applicant is asking for an unbuildable lot to be recognized as a buildable lot. The conditional rezone gives the County the options to limit to the development to a single lot. The P&Z Commission asked to have a building envelope created that would restrict the home and outbuildings to the 1.75-acre portion of the site so the rest could remain in agricultural use and the developer has agreed to that. Once they have an approval letter that gets attached to the subdivision engineer report application it will give the health department the ability to process the application and sign the final plat. The property is in a nitrate priority area, but there is not a need to do a nitrate priority study unless there are more than four lots. There are letters of support from neighboring property owners. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Commissioner Van Beek supports the staff report and the application as presented, and she made a motion to approve the rezone for Case No. RZ2021-0048 and the short plat for Case No. SD2021-0060 as well the FCO's, the development agreement, and the ordinance. The motion was seconded by Commissioner Brooks. Both Commissioner Van Beek and Commissioner Brooks vacated the motion and the second in order to have separate motions. Commissioner Van Beek made a motion to approve the rezone for Case No. RZ2021-0048 for Kent and Gina Morgan's requested conditional rezone, and to sign the FCO's, development agreement, and ordinance. The motion was seconded by Commissioner Brooks and carried unanimously. Commissioner Van Beek made a motion to approve the FCO's for Case No. SD2021-0060 for Kent and Gina Morgan. The motion was seconded by Commissioner Brooks and carried unanimously. (Commissioner Holton clarified that the motion should include the language from staff that was

included in the case packet. Commissioner Van Beek agreed that was the intent of her motion.) The FCO's for both cases were signed today, but the ordinance and development agreement will be brought back at a later date. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close the hearing at 10:29 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING ADDENDUM NO. 1 FOR THE REQUEST FOR QUALIFICATIONS FOR WAREHOUSE AND SHELTER PROJECT

The Board met today at 10:35 a.m. to consider signing addendum No. 1 to the RFQ for warehouse and shelter project. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Facilities Director Rick Britton, Deputy PA Oscar Klaas, COO Greg Rast, and Deputy Clerk Monica Reeves. The addendum includes language stating new drawings will modify the design of the warehouse to include the following: additional square footage added; addition of a heated flooring system; and addition of an awning for outdoor storage on the west side of the building. Other minor clarifications were made. There was discussion that email communication should go through the department head who is overseeing the project rather than coming to the BOCC. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign Addendum No. 1 for the RFQ for the warehouse and shelter project. Director Britton is hoping to have a contractor selected by February 28, 2023, with the goal to break ground in June or July. There was discussion regarding the review committee as well as questions about upcoming projects. The meeting concluded at 10:49 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 COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 12:00 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and to communicate with risk manager regarding pending/imminently likely claims. 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, COO Greg Rast and Brian Baughman and Shannon Kinney with The Hartwell Corp. The Executive Session concluded at 1:50 p.m. with no decision being called for in open session.

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

The Board met today at 3:00 p.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, Deputy

P.A. Zach Wesley, Deputy P.A. Oscar Klaas, Fair Director Diana Sinner (left at 3:06 p.m.), DSD Director Sabrina Minshall (joined the meeting at 3:30 p.m.), DSD Planning Official Dan Lister (joined the meeting at 3:30 p.m.), DSD Office Manager Jennifer Almeida (joined the meeting at 3:30 p.m. left at 3:41 p.m.), DSD Code Enforcement Supervisor Eric Arthur (joined the meeting at 3:30 p.m. – left at 3:38 p.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider James Johnson Entertainment Contract for the 2023 Canyon County Fair: Director Sinner said James Johnson Entertainment will perform balloon stunt on the smaller stages all 4 days of fair. This is a standard agreement prepared by the PA's Office. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the James Johnson Entertainment Contract for the 2023 Canyon County Fair (see agreement no. 23-020).

The Board took a brief break at 3:06 p.m. to 3:30 p.m. Once back on the record the Board took up the following action items:

Consider Order Form with Thomson Reuters for CLEAR Software: This is a 3-year contract for 3 users and Mr. Arthur outlined some of the benefits which include additional officer safety in being able to know who they are attempting to contact, demonstrate to court and PA that due diligence is being done, along with clear information as to who the property owner is which may also be beneficial to the Assessor's Office. Director Minshall confirmed that this has been accounted for in the DSD budget. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the order form with Thomson Reuters for CLEAR Software (see agreement no. 23-021).

Consider resolutions for refunds associated with fees paid to Development Services: Ms. Almeida provided a review of each of the refund resolutions detailing the refund amount calculations. The resolution for refunds were considered as follows:

- Refund to Jesse Ferrer in the amount of \$2125.00 for fees associated with a withdrawn comprehensive plan map amendment. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving the refund. See resolution no. 23-011.
- Refund to Wade Willers/Amity Storage LLS for fees associated with a withdrawn application for a comprehensive plan map amendment. Upon the motion of Commissioner Van Beek and second by Commissioner Brook the Board voted unanimously to sign the resolution approving the refund. See resolution no. 23-012.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 3:42 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and to

communicate with risk manager regarding pending/imminently likely claims. *(Note for the minutes: the motion was made as subsection (i) but stated as communicate with risk manager 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, Deputy P.A. Oscar Klaas, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister and COO Greg Rast. The Executive Session concluded at 4:42 p.m. with no decision being called for in open session.

The meeting concluded at 4:42 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 8, 2023

PRESENT: Commissioner Brad Holton, Chair
Commissioner Leslie Van Beek, Co-Vice Chair
Commissioner Zach Brooks, Co-Vice Chair
Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Robert Whitney, Deputy Sheriff – Courts & Transports 51002; and Ivan Kowalczyk, Planner I.

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 3/18/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- CDW in the amount of \$2093.84 for the Information Technology department
- Apple in the amount of \$1759.00 for the Information Technology department
- Dell in the amount of \$23,579.40 for the Information Technology department
- ACCO Engineered Systems in the amount of \$33,093.00 for the Facilities Department

MEETING WITH THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS DISTRICT LIAISON FOR REVIEW OF THE 2022 CANYON COUNTY ANNUAL JUVENILE JUSTICE REPORT

The Board met today at 10:01 a.m. with the Idaho Department of Juvenile Corrections District Liaison for review of the 2022 Canyon County Annual Juvenile Justice report. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Juvenile Probation Elda Catalano, Joe Langan with the Idaho Department of Juvenile Corrections and Deputy Clerk Jenen Ross. Mr. Langan provided a handout (which is on file with this day's minutes) and reviewed the following information with the Board:

Youth Arrests

- Breakdown of arrests and petitions for the past 3 years and the type of charge
- 1377 charges were filed in Canyon County in 2022 – breakdown of felony, misdemeanor and status offense

Probation and Diversion

- Releases vs. intakes and success rates

Intake

- Overview of the area's average youth offender – age, race and gender

September 30th One Day Snapshot

- Snapshot of youth on probation, diversion and in IDJC on the same day over the previous 3 years
- Overview of numbers through restorative practices

State Funds

- Funds from the state – JCA, tobacco & cigarettes and lottery
- State Behavioral Health Funds – SUDS and CBAS
- Juvenile Justice budget - % of state funding

The meeting concluded at 10:31 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APPOINTING CANYON COUNTY'S REPRESENTATIVE TO THE CALDWELL URBAN RENEWAL BOARD

The Board met today at 10:31 a.m. to consider appointment of Canyon County's representative to the Caldwell Urban Renewal Board. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. Commissioner Van Beek noted that she had previously volunteered to be part of this Board but it seemed the Caldwell City Council was looking for something different. Commissioner Brooks volunteered to participate on this Board and upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to appoint Commissioner Brooks as Canyon County's representative to the Caldwell Urban Renewal Agency Board (see resolution no. 23-013). At the request of Commissioner Holton, Commissioner Brooks will ask the CURA Board if an alternate member can also be appointment as

to be sure there is always county representation at the meetings. The meeting concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FEDERAL SURPLUS PROPERTY ELIGIBILITY APPLICATION (IDAHO STATE AGENCY FOR SURPLUS PROPERTY)

The Board met today at 11:00 a.m. to consider the Federal Surplus Property Eligibility Application (Idaho State Agency for Surplus Property). Present were: Commissioners Leslie Van Beek and Zach Brooks, Facilities Director Rick Britton, Facilities Office Manager Becky Kearsley and Deputy Clerk Jenen Ross. Ms. Kearsley explained that this application allows the county to take advantage of property at a lower cost. This is a 3-year contract which the state has requested elected official authorization on. The Facilities department has been using this service for several years, previously the signature of the Facilities Director was sufficient. Additionally, a list has been compiled and included of county employees authorized to use the service and make purchases. It has been requested that Commissioner Holton sign the form as he is the Board member with the longest term. Commissioner Brooks made a motion to authorize Commissioner Holton to sign the Federal Surplus Property Eligibility application (Idaho State Agency for surplus property). The motion was seconded by Commissioner Van Beek and carried unanimously. A copy of the application is on file with this day's minutes. The meeting concluded at 11:03 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 11:15 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Zach Brooks, Indigent Services Case Manager Kellie George and Deputy Clerk Jenen Ross.

Commissioner Brooks made a motion to approve the release of liens on case no. 2022-501. The motion was seconded by Commissioner Van Beek and carried unanimously.

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the cremation for case no. 2023-37.

A funeral home has requested payment for cremation on case no. 2023-38 as there has been no cooperation from the family, however, Indigent Services has identified that there is a bank account with unknown funds and a vehicle valued at approximately \$2100. This case does not meet the eligibility criteria for county assistance and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to issue an initial denial. Per the *Death Flow Chart*, information regarding assets will be forwarded to the funeral home offering them the opportunity to make contact with the Treasurer as the ex officio public administrator to collect payment.

The meeting concluded at 11:24 a.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner Van Beek made a motion to go into Executive Session at 2:35 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter and records exempt from public disclosure. The motion was seconded by Commissioner Holton and carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, and HR Director Kate Rice. The Executive Session concluded at 2:58 p.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH MEMBERS OF THE BOARD OF COMMUNITY GUARDIANS

The Board of County Commissioners (BOCC) met today at 3:01 p.m. for a meeting with the Board of Community Guardians (BOCG). Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Operating Officer Greg Rast, Deputy PA Alex Klempel, Clerk Chris Yamamoto, Controller Zach Wagoner, Indigent Services Director Yvonne Baker, Case Manager Kellie George, BOCG Members: Clair Roper, Mary Jo Campbell, Dottie Neher, and Susan Puga, Guardianship Monitor Janet Caufield, HR Director Kate Rice, and Deputy Clerk Monica Reeves. The BOCC requested the meeting to talk about how to move forward now that Clair Roper has resigned from the manager position of the BOCG. A draft resolution has been prepared that discusses how we'll move forward with the BOCG and the BOCC as a cooperative joint effort with the County Coordinator positions. Clair Roper spoke about her role on the BOCG and what the board members do and how they assist their wards. She said there is some confusion because the BOCG members are not aware of how they are going to move forward with the management. Yvonne Baker said a lot of this began with wanting to help Clair Roper while she was recuperating from a fall, and because she has indicated a step back from being the BOCG manager. Director Baker and Kellie George work in the Canyon County Indigent Services which is part of the Clerk's Office, and the role they anticipate playing is not a management role, it's an administrative role. Indigent Services has always been a part of the BOCG since its inception in 1987, and in 2010 when the office got really busy and was not able to provide assistance to the BOCG a lot of that assistance started to come from the Prosecuting Attorney's Office and so Ms. Baker and Ms. George envision getting back to that assistance to the BOCG. They are not here to manage the BOCG, but rather to assist with referral applications, helping to investigate and find the information to present to the BOCG. Staff works with Health and Welfare in assisting with Medicaid eligibility for the wards, and they have met with the social security office to get benefits started for the wards, and to assist with the paperwork to become a payee for the wards. Clerk Chris Yamamoto reiterated that the County sees its role as administrative, not management. He spoke about how one of the roles of the BOCC is to appoint members to the BOCG but that hasn't been done in a long time and it needs to be taken care of and we need protocols in place of "who does what." Director Baker said staff

would also help to assist with the annual reports and getting the information needed to get the reports filed, and to assist as a conservator to make sure that for the wards Ms. Roper has been paying on to take those over and make sure the expenses are paid, and also to assist with the annual report to the BOCC. Neither Director Baker nor Kellie George can be on the BOCG or be a voting member. Commissioner Brad Holton said he doesn't want to break anything that's working, but wants to see the report and help the BOCG keep things running smoothly. Mary Jo Campbell spoke about her role as a guardian for wards and the financial reports she files. She does not see how the County will be able to assist the guardians; it sounds mainly like it would be assisting Ms. Roper. She spoke of how the BOCG's biggest need is for volunteers. Ms. Roper said the BOCG started in 1987 due to the efforts of Mike Neher and he solicited volunteers. They originally had a chairperson, a secretary, and a treasurer. There was no manager. Volunteers were not easy to come by and were limited to a certain number of years to serve and when Ms. Roper had reached the number of years she could serve, the office on aging suggested making her a board manager and that is how they have operated ever since. Dottie Neher had questions regarding mileage reimbursement. Director Baker said the BOCG will need to elect a treasurer to carry on those duties. The BOCG will submit to the chair of the board and request payment just like has been done in the past. Susan Puga asked if the County Coordinators will tell the members when the reports are due. Kellie George said yes, they will; they are tracking the initial guardianship dates, and will assist with the administrative work. Director Baker read the questions that were submitted by board member Marilyn Freeman who couldn't attend today's meeting:

What is going to change with the BOCG when Clair Roper leaves? This question was been answered in today's discussion.

What is Kellie and Yvonne's role with the BOCG, and what will they be doing? This question was been answered in today's discussion.

Members have their finances for their wards, will this change? Director Baker said she and Ms. George can assist with the process. Clerk Yamamoto said the work that Director Baker and Ms. George do in the County Indigent Services Department makes them uniquely qualified to assist.

What will be the difference between the volunteers the County Coordinators get versus the board members now? Director Baker said staff can assist with having applications for folks to complete if they want to be a guardian or board member and staff can bring it to the board for consideration.

It was pointed out that BOCG members have served longer than 8 years and they have to reapply. Director Baker said staff will work with the Prosecuting Attorney's Office in renewing those terms and will do a resolution similar to the one that was put in place when members were originally appointed to the BOCG.

Why wasn't the positions that Ms. George and Director Baker took offered to any of the BOCG members? Clerk Yamamoto said staff is uniquely qualified to do this and it's a situation where we can be the best help, most efficient, with the least amount of cost. Director Baker said it was her

understanding there may not have been any interest by anyone else on the Board that wanted to take on the position of board manager.

Who is getting the BOCG's mail and the concern that board members are not getting the mail for their wards? Director Baker said it is part of the assistance staff is offering to Ms. Roper, and they are making sure the mail is being addressed and if there is any mail that needs to go to the guardians, staff will mail it out. Staff is in communication with Ms. Roper to make sure it gets to whomever it should.

Who is going to have checkbooks for paying the board mileage at their meeting? This question was previously asked by Dottie Neher, and it could be addressed at the next BOCG meeting if a treasurer is elected.

Would the BOCG ever have a small unit or office where wards' files could be stored so the volunteers do not have to store them at their own home? Additionally, volunteers should not have personal items of the wards, but sometimes it happens. Director Baker said staff has storage capacity for the files and they can be kept onsite at the County and staff can coordinate the destruction of the files when appropriate. The files will be available during business hours if needed. Staff will work with IT to develop a program for storing files in OnBase, the County's digital file system; however, it will not be accessible to the guardians unless they request it and then staff can make copies. . Staff currently has a paper file for each of the wards and eventually that information will be scanned and stored electronically.

Who will decide which wards the volunteers take at this point? The BOCG has always made the decision who they will take and who they will not. Director Baker said those are things that will be brought to the board; staff will take in the referral applications and do the investigation (access to information from H&W, Medicaid eligibility, social security, and search assets in preparation of bring that application to the board for the board to make a decision.

There was discussion regarding the need for more volunteers. Clerk Yamamoto said time is of the essence, and we should move forward with a resolution. Chairman Holton said the BOCC is in favor of the resolution and will set a date for consideration and a copy will be sent to the BOCG for review. Clerk Yamamoto said it would be prudent for board members to reapply for their position, the sooner the better. Deputy PA Alex Klempel said there should be a scheduled action item with 48-hours' notice to reappoint members. She doesn't think it's necessary to have a full application where it's just a reappointment, and the BOCC can get verbal commitment today on if the members want to continue serving and that way they won't have to come back for the reappointment action.

Current members are: Clair Roper, Mary Jo Campbell, Joan Columbo, Dottie Neher, Mary Confer, Marilyn Freeman, Eva Gohr, Susan Puga and Jean Udesen. Resignations came from Mary Kay, Gordon Bruner, and Carol Foster. Director Baker said we do not have a formal resignation from Kathy Aulbach although her son has confirmed that she has resigned. Currently there are 9 members, and the bylaws indicate a minimum of 7 members and a maximum of 11 members. The

County is hoping the current members will want to be reappointed. There is no cap on the amount of volunteer guardians. They serve two separate roles: a board member and a guardian.

Mary Jo Campbell has served for 10 years and she wants to retire; she plans to stay on the BOCG until May, 2023.

Susan Puga said she will continue on the BOCG and go through the transition.

Dottie Neher has served for 24 years and she will stay on the BOCG for a while longer but she doesn't know how much longer she can serve.

Clair Roper said she will continue to serve in support of Marilyn Freeman. Deputy PA Klempel said they have spoken with Janet Caufield about the matter and nobody in the Prosecuting Attorney's Office or in the Courts think Ms. Freeman did anything wrong nor do they believe there are any issues. There are five more BOCG members who were not present today, so Director Baker will see if she can get a verbal declaration on if they are interested in being reappointed. The BOCC will schedule another meeting with an action item in the next week. Director Baker said she and Ms. George would like to attend the next BOCG meeting to present some referral applications that have been received. The meeting concluded at 3:55 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION DESIGNATING POLLING LOCATIONS FOR THE MARCH 14, 2023 ELECTION

The Board met today at 4:04 p.m. to consider a resolution designating polling locations for the March 14, 2023 Election. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Alex Klempel, Clerk Chris Yamamoto, Elections Specialist Brandi Long, Elections Supervisor Haley Hicks, COO Greg Rast, and Deputy Clerk Monica Reeves. The Elections staff presented the Board with a list of 21 polling locations, 10 of which are new and mostly in the Nampa School District. The new locations should dramatically reduce the wait times. According to staff the resistance to early voting is adding to the long wait times on Election Day due to the misunderstanding that early voting is tallied or counted prior to Election Day. Staff plans to continue working with school officials to secure additional polling locations in the future. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the resolution designating polling locations for the March 14, 2023 election. (Resolution No. 23-014.) The meeting concluded at 4:13 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM
CALDWELL, IDAHO FEBRUARY 9, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

The Board approved claims 592024 to 592074 in the amount of \$408,867.74

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Idaho Tool Equipment in the amount of \$6,213.33 for the Solid Waste Department

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Legends Sports Pub & Grill to be used 2/25/23.

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

The Board met today at 9:32 with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas, Chief Deputy Treasurer Jennifer Mercado (left at 9:38 a.m.), Deputy Treasurer Tonya May (left at 9:38 a.m.), HR Director Kate Rice (left at 9:45 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Authorizing Transfer of Excess Sale Proceeds to Parties in Interest and State Treasurer: This is the final step in the tax deed auction process in order for excess funds to be paid out to parties in interest and the State Treasurer. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing transfer of excess sale proceeds to parties in interest and the State Treasurer (see resolution no. 23-015).

Consider Release Agreement for Public Defender's Department: Mr. Wesley said the agreement has been signed and executed as previously discussed, the offer has been accepted and it is now ready for final Board signatures.

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 9:39 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. Alex Klempel, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, HR Director Kate Rice and COO Greg Rast. The Executive Session concluded at 9:45 a.m. with no decision being called for in open session.

At the conclusion of the executive session, the action item was again considered with Commissioner Brooks making a motion to sign the release agreement for the Public Defender's department. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 23-022). The meeting concluded at 9:46 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - PRELIMINARY PLAT AND FINAL PLAT FOR RED COW FOLD SUBDIVISION, CASE NO. SD2021-0040

The Board met today at 10:01 a.m. to conduct a public hearing in the matter of a request by Skinner Land Survey for approval of a preliminary plat and final plat for Red Cow Fold Subdivision, Case No. SD2021-0040. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Zach Wesley, DSD Planning Official Dan Lister, DSD Director Sabrina Minshall, COO Greg Rast, TJ Wellard, Hans Bruijn, Connie Hill Bruijn, Colleen Clark, Jeremiah Long, Cynthia Betz, Michael Gregor, Zachariah Clark, LaDonna Readmond, Michael Ciscell, Mitch Kiester, Charlie Kiester and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that her family has known the Bruijn Family for many years and she attended a picnic and they talked about the case that was approved in 2020 but that will not affect her ability to render an unbiased decision in this case.

Planning Official Dan Lister gave the oral staff report and reviewed the exhibits that have been submitted. The request is for a short plat for Red Cow Fold Subdivision, a one-lot subdivision which is zoned rural residential. The subject property (Parcel R30588) is approximately 2.47 acres and is located approximately 1,315 feet south of East Airport Road and approximately 1,342 feet east of North Robinson Boulevard in Nampa. It is located within the Nampa impact area. Water and sewer will be provided by well and septic; the property has water rights, but the plat note states they will use well water for irrigation. Drainage will be controlled via landscape measures, swales,

ditches, and similar retention methods that will be the responsibility of the homeowner. DSD engineering finds the road certification provided by the applicant does not meet County code as it states it's in substantial compliance but it needs to meet the minimum requirements. The engineer found the following must be met prior to final plat approval: construction, road name, fire district review and approval, and an updated road users' maintenance agreement (RUMA). Nampa's addressing department is ready to approve a road name, however, they are concerned about the current litigation regarding the road because the city has to install a sign on the property of a neighbor who is opposed to the request. Nampa's planning department opposes the request because it's not consistent with their future land use plan regarding low-density residential; however, the property has already gone through a rezone so that consideration has already been made. The Nampa engineering department waived city subdivision improvement requirements. Staff received 8 letters of support, as well as 6 letters of opposition which cited concerns about road issues, dust, the lack of an adequate RUMA addressing how the road will be improved and maintained, and concerns about legality. The code states if there are over 100 average daily trips the road needs to be paved and without understanding the legality of who gets to use the road, we don't know what construction needs to happen for the road. On November 3, 2022, the P&Z Commission recommended approval of the plat subject to the conditions of approval. Staff believes the application is incomplete. There are three things can be dealt with as a condition of preliminary approval. Staff does not have any information showing the irrigation plan meets the requirements of Idaho Code. The plat states they will use a well, however, their application shows they have water rights. In the future the homeowner can pump out of Rossum Creek/Canal and there are lot of open ways to do this, but it's not fully demonstrated. The applicants have stated they will work with the city to bring city water to the property and that should be part of the plat as improvements. A private road name is required and could be conditioned for the final plat. The applicants need to work with the property owners and have a RUMA that works for everybody. According to Mr. Lister, when the property was split it was not to County code, and the rest of the parcel above it (the Bruijn property) should be rezoned and added to this plat proposal. The original lot went beyond the four splits they can have without platting, and any further division requires platting and the way to fix this for the Bruijns to rezone their property and do a plat to make them both consistent. The way it is presented today creates inconsistent lots. Staff recommends denial because of the incompleteness, or they recommend the Board table the hearing and direct the applicants to provide more information. Following his testimony, Mr. Lister responded to questions from the Commissioner Van Beek regarding the RUMA, access to Lexington Meadows, water access/delivery, and the rezone process.

The following people testified in support of the request:

TJ Wellard testified he has never seen a one-lot subdivision be so contested and eviscerated at this stage of the game. The Bruijns wanted to give their children a parcel of land so they could live next to them and they have complied with the requirements of DSD and followed staff's advice to bring the property into conformance through rezoning and platting. The property has legal access and it is not the Board's place to get involved in civil matters, and if there are other people who want uses they need to prove that in court. The plat is in conformance and has been signed by the required agencies. The irrigation plan does not say it will use a well for irrigation. This was a

dry lot that has irrigation water but it has never served a purpose to be irrigated. It has irrigation water and they have accessed it in the past via a pump but they do not plan to irrigate the two acres with a well. Mr. Wellard disagrees with DSD staff's conclusion that the road is not in conformance, and he said the only portion that wasn't in substantial conformance was a culvert crossing of the lateral where the culvert appears not to be long enough to be able to have shoulders up to 20 feet. It is 19 feet. The rest is shown as in compliance in the certification. The RUMA meets the County ordinance and it is a civil document for a private road and the applicants cannot force people to sign it. Following his testimony, Mr. Wellard responded to questions from the Board.

Hans Bruijn testified he has lived on the property for 35 years and had a dairy on it, and as part of their retirement plans they want to give their daughter some land so she can build a home on the back of their property. It's been a frustrating 3-year process in trying to deal with the changing requirements in the process. He said the only neighbor who opposes the addition of a single home has never personally testified about the proposal, the only opposition is coming from her sons who do not live near the property and their concerns are about the dust on the road. The Bruijns will deal with the dust issue and they will take care of the road. The residents of the Lexington Meadows Subdivision do not want the Bruijns to use their access road, however, it is used by emergency vehicles. Following his testimony, Mr. Bruin responded to questions from Commissioner Van Beek regarding irrigation.

Connie Hill Bruijn testified she has been in communication with the irrigation district and is waiting to hear from Duane Duvall to find out the costs and which route they should go whether it be a pump and/or put in another head gate which will require digging from the canal through the right-of-way and onto the property or onto a central location. She has continued to jump through hoops and check the boxes and is frustrated by DSD's constant scrutiny of her case and the lastminute bombshells and lost documents that were not included in the record. The subject property has always been in two parcels; she and her husband live on the upper portion which is in the Nampa School District and the Nampa Fire District while the rest of the property is in the Kuna School District and the Kuna Fire District. They could never be the same parcel. When they did the original exploration they were not allowed to build a second home because it was considered a separate parcel, but now it is being referred to as one piece and a split to provide the parcel for their daughter. Mrs. Bruijn said they did not do a split; it's always been a separate parcel. She said there is no litigation, people are unhappy with each other and it's created a problem. The structure on the right-of-way has been there for 60 years, and the Bruijns are not arguing where the right-of-way is. The road sign will be placed on the Salutregui property not the Kiester property. She gave a brief history of the Kiester property and said Caroline Kiester's desire is to close off access to a 90-year-old road because she believes the Bruijns can access Lexington Meadows but that subdivision has made it very clear the Bruijns cannot use the road. According to Mrs. Bruijn when the initial letters were sent to neighbors there were no concerns expressed by Mrs. Kiester. The burden of proof of no right-of-way still lies with the Kiesters, and they have not gone to court to challenge the right-of-way. Following her testimony, Mrs. Bruin responded to questions from Commissioner Van Beek regarding the well and water delivery; the

communication with the city officials and irrigation district officials; road issues and the references that have been made about supposed litigation with the neighbors.

Colleen Clark agrees with the testimony provided by TJ Wellard and her parents, the Bruijns. She understands the issues when dealing with two sides of an issue and the need to follow codes and regulations. In April of 2022 DSD staff contacted the Bruijns four days before their hearing with the P&Z Commission and advised the case would be postponed because the Bruijns needed to have a RUMA and a road name. They had been working with the County for a year and the information came out of nowhere and it was the beginning of the rules changing and the lack of contact. At their last meeting they didn't know about staff changes in DSD and three minutes after the P&Z Commission hearing was supposed to have started, Dan Lister presented a folder of things the Bruijns needed to do but they did not have a chance to go through it. She said staff has usurped what the BOCC and the P&Z Commission said two years ago. There was an elaborate discussion at the P&Z Commission hearing about the RUMA where all but one Commissioner voted in favor of it and it met the requirement of the Bruijns and the Clarks being responsible for the road. Now staff is saying the verbiage is not okay. She said there needs to be some management of DSD staff because they have said something was done illegally and the Bruijns and Clark's want to know what's going on. They have met with the City of Nampa officials who said they would allow the road to be named once they had the building permit. Following her testimony, Ms. Clark responded to questions from the Board.

Jeremiah Long lives on Arabian Way which is directly across from the proposed lot, and he owns the 500+ feet of direct road that borders his property. He has contacted contractors to help with dust control/mitigation and he coordinated with six neighbors to help cover the cost up to the canal where the culvert doesn't meet code. He said the opposition over dust seems ludicrous given the country setting they live in. Regarding the Lexington Meadows complaint and claim to ownership and access of the road, about six years ago the HOA tried to block access to the road from anyone that has current access and in his opinion since they tried to do that they gave up any legal right or legal access to that road. The road has been there for nearly 100 years and access has been granted. He supports the Bruijns request.

The following people testified in opposition to the request:

Mitch Kiester testified that the engineer's report TJ Wellard mentioned was supposed to be four inches of ¾-inch gravel and on the last report not all five holes had four inches of gravel, there were some that only had 2.5 inches. If the Board approves Red Cow Fold Subdivision access through his mother's property he wants there to be conditions of approval or additions to the RUMA. Due to the increased use of Amazon, FedEx, and UPS, there should be speed bumps/dips installed across from his mother's road and 150 feet south to limit dust. Since the access road is owned by his mother he believes she should be given the right to assign a road name. All users need to understand the access road owned by his mother is for ingress/egress, and for safety reasons there should be no parking or storing on the road. When the users who were previously required to have a maintenance agreement as a condition of final plat, the County was supposed to look into it and he is interested in those findings. There have been legal threats that his mother

needs to move her fence to provide full easement access but the current fence and irrigation ditch have been in place for over 70 years and he wants there to be a condition that the fence and ditch on the Kiester property will remain in place. The County is only requiring a 20-foot roadway so that should be sufficient for ingress/egress for all users; however, if the roadway is required to be 50 feet in width they will be willing to relocate that fence and irrigation ditch. If the fence and ditch must be moved it should be done at the applicants' expense and they want the entire access length required to reach Red Cow Fold Subdivision increased to 50 feet with no encroachments. The irrigation practice has been in place since 1952 when his mother's family moved to the property. Mrs. Kiester's attorney sent a letter stating there is no proof that the 1928 document referenced as an easement was ever assignable to additional users (Exhibit 5D). There have been negotiations to come to an agreement on access on maintenance that have never been resolved and approving additional developments without having the current legal issue of access resolved does not seem reasonable. Mr. Kiester hopes the parties can simply negotiate some reasonable terms, however, that would take all users agreeing on access and maintenance. He submitted photographs of the road taken over the weekend which show more than minor rutting. Following his testimony Mr. Kiester responded to questions from the Board regarding road maintenance.

Charlie Kiester testified they have been in negotiations for a RUMA for two years and he questioned what will happen if some of the users don't want to participate in the RUMA, and what will happen if someone wants to split their property. Will all parties to the RUMA have to participate in a new agreement? He said it seems access was added to some properties that didn't have it before.

Rebuttal testimony was offered by TJ Wellard who said the issue of potholes in the road has been addressed in Exhibit 2F. He questioned why the Board would hold up this project for neighbors who are unwilling or unable to cooperate when the applicants have taken on the responsibility of what is required by County code. It's a civil matter the neighbors need to hash it out on their own. Commissioner Van Beek had questions for staff regarding ordinance requirements and the responsibility for a RUMA, and city's position on improvements. Mr. Lister said the City of Nampa believes there is litigation, and they want to see a RUMA before they install a sign in the easement, or, they are willing to look the other way until that is taken care of. It does not meet the County's requirements for EMS or addressing and it should be dealt with at the time of platting. If they take care of the two issues the County's engineer found then it will meet requirements for a private road. Paving is not required because it doesn't go over 100 average daily trips. TJ Wellard testified the Nampa city engineer has signed the final plat. Mr. Lister said staff requests the final plat not be signed today until it meets the standards. If there is a private road name it typically is on the plat and evidence they have installed the signage prior to final plat approval. The engineer has said he wants those two areas to meet the County's minimum requirements (Exhibit 3B). Discussion ensued about road requirements; the definition of and requirements for a secondary dwelling; property history; splitting and platting requirements. TJ Wellard said platting the lot that was a nonconforming parcel makes it conforming and the way to remedy it is to plat the nonconforming parcel. Mr. Lister said the only way to fix it is to rezone and plat it, but in this case at the time of rezone it was owned by the Bruijns and the selling of it to the Clarks happened later and they decided to divide it off and treat it as an illegal parcel becoming legal and leaving that

other part where they could have met the code as nonconforming. In this case the violation to the County's code could have been addressed early on but the applicants decided not to. Mr. Wellard said the applicants went this direction based on input from DSD staff and they have followed what was required of them by staff and they have done everything asked of them to make it conform and the short plat is the final step in doing that.

Mr. Lister said he believes this was divided without going through code and the Bruijns property should be part of a rezone or plat. At the time of rezoning there may have been a decision that they treated this as two separate parcels and so if we treat it that way this could move forward but it would leave the Bruijns parcel as nonconforming and it would be a violation of the code. If they came with a building permit or any additions to their house they would have to rezone at that point and the County could go after them for a code violation. Today there was a lot of testimony regarding irrigation and if the Board feels it has enough information to move forward staff could take the testimony that it meets requirement or if there is more information we could add it as a condition for final plat signature. The private road name does not meet County requirements, but it could be through a condition that they get that done before signing the final plat. The RUMA meets code requirements but it could leave some civil issues. It leaves the private road naming and construction and the engineer has said the road certification does not meet the 20-foot width for the construction so they would have to do that through bonding or prior to final plat. There are items that prohibit signing the final plat today but the preliminary plat could move forward if the Board finds the information is sufficient. Staff suggests removing the requirement of the property boundary adjustment. The approval would make that current shape of the platted parcel conforming. The Bruijns property would have to come back later and be fixed through platting and rezone so we wouldn't need that property boundary adjustment and the fee could be refunded.

TJ Wellard said based on what staff is saying the Bruijn property would already be nonconforming based on the subdivisions being split off the original parcel. How is this being split off the original parcel and being applied to be conforming any different? They sold off Schwisow Subdivision and Lexington Meadows without going through the platting process so they were platted at that point. Mr. Lister said those were approved for a CUP so it was recognized through that process and the rest was platted per the code. It kept the original shape through those decisions and it left as a legal parcel but the splitting of it for this purpose made both of them nonconforming. Mr. Wellard said it does not create an illegal parcel, the fact they went through the process makes it legal. Mr. Lister said in looking at the evidence in the rezone they did not go into the issue of two parcels, they just said it's been split so many times it needs platted. In this case there is history, it was one - they rezoned only half understanding that the tax parcel and not the legal description of it and they sold it off through deed and they are platting it. It could have met County code, but the applicants decided to do something nonconforming so their top parcel wouldn't be part of the bottom parcel.

Colleen Clark said nothing illegal was done; the Commission reviewed and approved it.

The Board accepted late exhibits #17, #18 and #19 entered into the record. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony.

Commissioner Brooks asked if there's an option to move forward with a RUMA between all affected parties as a condition of approval. He is still unclear on whether it needs to be paved but said it seems easy to come to an agreement on making the culvert portion come into compliance. Mr. Lister recommends the Board consider the County code and if that's the case we already have a road certification saying it meets requirements except for two areas. Prior to final plat signature the private road shall be constructed to code with the road name approved by the City of Nampa and a street sign installed, and that the construction is reviewed by our engineer, and they have an engineer's certification that it has been done. It is already covered by conditions. Commissioner Brooks said the parcel has not been irrigated substantially in the past and it would be unreasonable to require a new weir, or pipe, or a pump with measurements. Commissioner Holton said irrigation water is available to the property and he spoke about causing higher consumption on an aquifer. Commissioner Van Beek said the applicant can get some kind of agreement with the irrigation district to install a pump and put it in the canal. It could be required dry scape or allow them to get an agreement before we sign the final plat that says they agree to use their pump and pull from the ditch. Commissioner Brooks does not want to hold up this case because of that and it seems that those in favor and in opposition seem to be much more willing to come together for a RUMA or a solution to move forward. Testimony from those in opposition did not come across as strong as he anticipated from the evidence and the demeanor and perception today was that there was the potential for a reasonable conclusion to be met which is why he is supportive of moving this forward so they can work it out before it became official.

Commissioner Van Beek said if we'd had the planning official on this case better direction might have been given, but there appears to be diligence that was done. Two years is a long time to wait for one subdivision division and it is unfortunate there have been civil disagreements. There are willing parties who want the RUMA and that should be accepted as sufficient as meeting the county code. She wants a condition of approval that they obtain an agreement with the irrigation district to get surface water rights by accessing and working with the ditch rider on how to irrigate the two acres. Mr. Lister said there is a condition that says any changes require approval by the irrigation district using the canal or lateral. The preliminary plat says they have no intention to use surface irrigation water. The expectation is that the yard will be sprinkled by domestic well and any future owners can revert to the historic use by installing a pump and pumping water from the canal which would require approval from the irrigation district. The question is whether that is enough to comply because it points down to Idaho Code, Section 31-3805 in identifying how they are delivering water to the lot. Commissioner Van Beek wants clear definition of how they are going to be able to utilize that water so they are in compliance with the Idaho Department of Water Resources and it doesn't tax the aquifer. Additional discussion ensued. Commissioner Van Beek agrees with staff that the property boundary adjustment is no longer needed and the condition is unnecessary, and they need to fix the 20-foot width that's been identified in the engineering report, and show where we provided for mitigation for the concerns staff has brought forward on Page 4 of the staff report. She supports the application and the process to move

forward not discounting the points staff has brought up to make this conforming. Commissioner Brooks said he could support this with a condition for a RUMA but he is concerned about the written comments regarding the road because today those in opposition led him to believe they are more reasonable than what was stated in Exhibit 10 and he doesn't want it being used as a weapon to deny moving forward and he doesn't know how to remedy that. Commissioner Van Beek said she understood there to be a desire to work together to mitigate the issues namely the dust and she said this is a quasi-judicial hearing where everyone swore under oath to speak in a truthful manner. Commissioner Holton wants to set a new hearing date and get the conditions in writing so the applicant can see them. Mr. Lister recommends, if the Board approves, to remove the requirement for a property boundary adjustment, and have a RUMA negotiated before approval and the Board can apply what it expects to see in the agreement, and add any irrigation requirements. Commissioner Van Beek wants the applicants to get something in writing stating they have worked with the irrigation district and describe how they are going to use their surface water rights, and that they have a shared well. Commissioner Holton expressed his concern about future use and doing it right. Deputy PA Wesley said the RUMA requirements have been interpreted to avoid conflict and make sure it's signed by someone saying they will take authority and it will be left to the parties if there are disputes in the future. It is for the landowner and applicants to make sure they have said in writing that they will take authority for the improvements that are going to happen and if they want to get the other property owners to pay later they can do that. Commissioner Holton wants staff to adjust proposed condition no. 2 and acknowledge there are surface water rights available to the existing property and that a letter of approval is required from the irrigation district. Commissioner Van Beek is in favor of upholding the P&Z Commission recommendation with the additional conditions the Board is requiring. The burden of proof is still on the applicants to meet those conditions and bring that back to the Board for review before signing the preliminary plat. She made a motion to approve the recommended changes to the conditions of approval and approve the preliminary plat for Red Cow Fold Subdivision based on those conditions, and to reconvene within one week to review the proposed conditions. The motion was seconded by Commissioner Brooks and carried unanimously. Mrs. Bruijn wants to see a detailed list of what needs to be done. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to continue the hearing for Case No. SD2021-0040 to February 21, 2023 at 10:30 a.m. The hearing concluded at 12:42 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:05 p.m. for a meeting with the Director of Development Services Department 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, DSD Office Manager Jennifer Almeida, Deputy PA Zach Wesley, Keri Smith, and Deputy Clerk Monica Reeves. COO Greg Rast arrived at 2:25 p.m. Director Minshall gave a PowerPoint presentation titled Workshop #3 Comprehensive Plan.

TOPICS:

- Elevations of Planning
- 2030 Comprehensive Plan
- Goals (what staff heard)
 - Honor the public engagement and input received during 2019-2022
 - Appreciate the staff, partner agencies, and interest groups that worked on the 2030 update
 - Embrace the need to have a future-focused plan that can be implemented
 - Recognize the need to have a Plan with a horizon year 10-20 years in the future and that acknowledges incremental changes are necessary to achieve the vision
 - 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 actions
- Concerns (what staff heard)
 - While the 2030 Comprehensive Plan public involvement was robust, the resulting document, including goals, policy, actions, and land use map, does not reflect the spectrum of that input.
 - The 2030 Comprehensive Plan document reflects the unfortunate positional nature of how the process unfolded. Goals, policies, actions, and land use map have contractions not aligned between the required elements, and/or is inconsistent with past development patterns and data.
 - The resulting 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. Where conflicts of vision or future zoning actions exist, we need to strive for compatibility and collaborative decision making.
 - Adopted actions do not set realistic expectations for implementation. There are XXX actions adopted into the plan. They are not prioritized, may not be the role of the government, or the role of Canyon County.
 - The Plan horizon is only 7 years in the future. The Plan should be 10-20 years.
- Process & timeline for Repeal-Reinstate the 2020 Comprehensive Plan
 - Feb 14- Notice P & Z Commission meeting for public hearing and subsequent recommendation to repeal/reinstate. Requires 30-day notice to cities (AOI agreements), 15-day notice to public, commenting agencies
 - March 2nd- BOCC/P & Z joint meeting
 - March 16th- P & Z hearing/recommendation
 - March 20th- 15-day Notice for BOCC hearing
 - April 6th- BOCC hearing/action

- If intended BOCC action is significantly different than P &Z recommendation, 2nd noticing and hearing is required
 - April 10th-Noticing for 2nd BOCC Hearing
 - April 26th-2nd BOCC hearing/action
- Proposed scope & schedule for 2040 update
 - **Context/Input Elements:**
 - Glance back, look around, look forward: data and evidence based
 - 85% of chapters are this
 - Most context chapters are 80-95% golden
 - **Proposed:**
 - Staff update evidence and content
 - March
 - Pull out Goals, Policies, and Actions (GPA) for staff/BOCC workshops (in groups of elements) Keep, modify, or delete
 - April- May (6-8 sessions)
 - Topics align with many of “workshop” topics already planned
 - **Context/Input Elements:**
 - National Interest Electric Transmission Corridors: 100%
 - Prop. Rights: 95%
 - Recreation: 95%
 - Special Areas: 95%
 - Agriculture: 90%
 - Schools: 85%
 - Population: 75%
 - Economic Development: 60%
 - Natural Resources/Hazardous Areas: 60%
 - Public Services, Facilities, Utilities: 60%
 - Housing: 50%
 - **Decision Element:**
 - Land Use and Community Design: 40%
 - **Result Element:**
 - Transportation: 70%
 - **Decision Element:** Land use and Community Design
 - **Proposed:** (consultant assistance)
 - June-early July
 - Appoint an advisory group- engage with P &Z, and the BOCC in a series of facilitated, deep dive workshops

- Limit the deep dives to alignment of **updated GPAs to Land Use GPA and to Land Use Map**
 - Workshop 1: June-Understand and align GPA of elements. **Discuss or recommend modifications for consistency**
 - Workshop 2: June- Using the GPA of all elements, apply to the Land Use Map
 - Review both the 2020 and 2030 maps under this lens
 - **Make recommendation for MAP changes**
 - Workshop 3: must be by mid-July
 - Review outcomes of GPA and Land Use Map
 - Is the result aligned
- **Advisory Committee:**
 - Limit scope to review and internal alignment of GPA and Land Use element/map
 - Approve a charter with intent, expectations 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?
 - Staff update transportation chapter GPA to align with Land Use GPA and Map
 - Confirm outcomes with the BOCC
 - Late July
 - Produce Draft Plan for adoption
 - July-early August
 - Mid-August-Board workshop on draft plan
 - Hearing process for adoption
 - For late November adoption, first notice of hearing: (PLAN READY) has to be by **early August**.
 - This assumes possibility of 2nd BOCC hearing to be required IF action is different than P&Z recommendation.
- Follow up Planning for 2024-2025
 - Area of Impact Agreements revised
 - Zoning level actions- ex: overlays, land use matrix and allowed densities
 - Code Revisions to support adopted goals and policies

- Every 3 years – limited review of plan for updates and monitor trends and results of actions
- By 2030 – full plan update and extend horizon year
- BOCC Direction & additional information desired
 - Repeal/Reinstate process and schedule
 - Joint meeting with P&Z
 - Approach, timeline, and schedule for 2040 update
 - External communication of intent

Follow-up Actions:

Staff bring back detailed scope and schedule for BOCC approval

Staff draft charter for advisory group for BOCC approval

Advisory Group membership appointed by BOCC

Staff begin work on Phase 1

Schedule BOCC workshops for GPA review and approval

RFP/Q for consulting assistance for Phase II

Discussion followed Director Minshall's presentation regarding the applications in process; the scope; realignment; proposed overlays; and establishing an advisory committee.

Keri Smith asked how many applications would be affected if the plan is repealed? Staff said 20 applications could be affected. Whatever plan is in place at the time of their application is accepted and complete is the plan that they are under.

The reality of executing the plan? A 15 to 18-month process.

Commissioner Holton doesn't see the November adoption date being met and feels it more likely be in February. The applications we are getting between the approval date and whenever the Board is going to rescind this is as problematic as anything else, personally speaking. We are taking the GPA's and getting them succinct so that when the Board ends up with a final product is well vetted and thought through. Commissioner Van Beek wants more time to think about it because of the implications on either side of significant. Director Minshall asked the Board to think about the two actions staff needs direction on: the BOCC wants a revision, and it wants time to look through and do a deep dive into land use. Getting that scope right and schedule is one part, and the first part is what do you want to do in the meantime until the next one is in place? Do you want to stay with what we have and the one that comes in the meantime becomes your replacement? Or do you want to go back to the 2020 plan until we get the revision? Commissioner Van Beek said there is confusion, and she wants to look at the impacts. The change on the maps did not reflect the zoning and she felt like it wasn't transparent, and she needs to evaluate that with an informed user of information to make sure she understands what she is agreeing to. She doesn't have enough information to give direction today. Commissioner Holton is looking at a schedule where the goal would be January or February.

Commissioner Holton wants to be sure we talk to the different groups and get opposing opinions so the different voices are represented so we can try to get the best compromise for Canyon County. Deputy PA Wesley agrees with Commissioner Holton's suggestion to get all the stakeholders in a room and try to get them to tell us what they could agree on. It's an additional step, but it's not required so whatever phase you feel comfortable bringing it in we can do it.

Commissioner Holton said a tremendous amount of work has been done and we just need to polish up on some of areas, we don't need a deep dive on every one of them. Commissioner Brooks agrees. Director Minshall will come back next week with a spread-out scope.

The meeting concluded at 3:43 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEMS: CONSIDER A RESOLUTION APPOINTING REPRESENTATIVES TO THE VALLEY REGIONAL TRANSIT BOARD; AND CONSIDER APPOINTING REPRESENTATIVES TO THE COMPASS BOARD, AND EXECUTIVE AND FINANCE COMMITTEES

The Board met today at 3:50 p.m. to consider a resolution appointing representatives to the Valley Regional Transit Board; and to consider appointing representatives to the COMPASS Board, and the COMPASS Executive and Finance Committees. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, COO Greg Rast, Landfill Manager David Loper, Keri Smith, and Deputy Clerk Monica Reeves. The appointments were considered as follows:

Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to appoint Commissioner Zach Brooks to serve on the COMPASS Finance Committee.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to appoint Commissioner Brad Holton to serve on the COMPASS Executive Committee.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to appoint Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, and to appoint Greg Rast and Sabrina Minshall to serve as alternates on the COMPASS Board.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to appoint Sabrina Minshall as a primary member, and Brad Holton and Greg Rast as alternates to the Valley Regional Transit Board. (Resolution No. 23-016)

Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to adjourn the meeting. The meeting concluded at 4:00 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 10, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

The Board approved the following claims:

- 592075-592116 in the amount of \$69,070.10
- 592024-592074 in the amount of \$408,867.74
- 592071 in the amount of \$25,565.80
- 01.02-02.01 in the amount of \$12,054.63

BOCC STAFF WORKSHOP

The Board met today at 9:05 a.m. for a BOCC staff workshop. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy Clerk Monica Reeves, COO Greg Rast and Deputy Clerk Jenen Ross.

Board review of the following:

- Mr. Rast provided a handout which is on file with this day's minutes; discussion regarding the county org. chart and linked documents for the County Agent- the Board is supportive of this.
- A press-release was prepared by PIO Joe Decker regarding a land use hearing for an agritourism oriented special events facility originally scheduled to be heard on February 16th, Commissioner Van Beek did not like the grammar or sentence structure so a brief break was taken from 9:09 a.m. to 9:18 a.m. for the press-release to be revised.
- Mr. Rast will meet with Janet Caufield regarding an MOU and will update the Board after he's met with her. Commissioner Holton feels like the county is in a good place with the Board of Community Guardians and doesn't want to do anything to upset that relationship. Mr. Rast will also work with Indigent Services regarding the resolution and addendum regarding the Board of Community Guardians.

- Mr. Rast will send an email to Board Directors letting them know that any employee communication to the Board needs to go thru him or HR; the Board would like to avoid direct communication with employees in an effort to avoid any kind of conflict.
- Mr. Rast informed the Board that Director Britton is working with CCSO on a remote office at Lake Lowell in order to keep deputies out in the field. Director Schwend is supportive of this. A modular building will be brought in which could house up to three deputies. This will be a FY24 project and the Board is supportive of this continuing forward. Commissioner Holton thinks this may also qualify for ARPA monies and wants to see the planning happen sooner rather than later.
- ARPA monies will be added to the talking points for the meeting with the Controller on Monday.
- Secondary employment application discussion.
- Discussion regarding off-site meetings and how minutes will be handled.
- Commissioner Holton and Mr. Rast will have a 'meet and greet' with Sheriff and the Chief Deputy on the 23rd.
- Quarterly meetings with department administrators will start in March.
- An outline of the FY24 budget scheduled was provided within the handout. The Board wants to see all original budget requests and to meet privately with the Clerk and Controller prior to the suggested budget being presented to the public. Based on the Board discussion and input, Mr. Rast will speak more with the Clerk and Controller regarding the budget schedule. Meetings with outside agencies will be scheduled for May.
- Core value TRUST definitions were reviewed; the Board is supportive of the definitions as presented.
- Commissioner Van Beek wants to make sure Director Minshall is in receipt of Mr. Lakey's comments so that she has a chance to review them.
- Commissioner Van Beek met with District 10 last night, the City of Star does not have a comprehensive plan map, additionally she said the county needs to provide a map of the final committee of 9 process and the election that took place. DSD needs to send that out and the Board needs to adopt.
- Commissioner Van Beek will find the HC documents as requested by the chairman and the Ada County budget document was provided.

Commissioner Holton made a motion to adjourn the meeting. The motion was seconded by Commissioner Van Beek.

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

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 13, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Overhead Door in the amount of \$8,129.00 for the Facilities Department

BOCC STAFF WORKSHOP AND ACTION ITEM

The Board met today at 9:02 a.m. for a BOCC staff workshop and action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy Clerk Monica Reeves, COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider a resolution granting an alcohol beverage license to Jacksons #241: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting an alcohol beverage license to Jacksons #241 (see resolution no. 23-017).

Commissioner Van Beek spoke about a copy of a proposed agenda for The Center; asked about the reconsideration request for Peckham Rd. Trust; a pre-auction statement was shared with Commissioner Holton; JoDee Arnold would like to prepare a checklist of items for election canvassing, Commissioner Holton wants to make sure that is reviewed by legal; an ESIS fee schedule and executive session with Sandi Moser this Friday; Ada County budget presentation materials.

A joint meeting with P&Z is coming up on March 2nd from 4:30 to 6:00, Mr. Rast will contact the Sheriff's Office in regard to making sure the courthouse remains open for that meeting. The public hearing scheduled for Wednesday afternoon will not go past 5:00 or it will need to be continued to another date.

COO Rast asked the Board to review the talking points he's outlined for the meeting with the Clerk and Controller later today.

The meeting concluded at 9:17 a.m. and was for informational purposes only. An audio recording is on file in the Commissioners' Office.

BUDGET STATUS UPDATE

The Board met today at 2:02 p.m. for a budget status update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, CCSO Financial Manager David Ivers, COO Greg Rast and Deputy Clerk Jenen Ross.

Discussion topics included:

- ARPA Funding
- FY2024 Budget schedule
- Question about dissolving a department and moving it under the BOCC – from an accounting standpoint it is a very straightforward process.
- Graphs showing Canyon County actual revenues, expenditures for 2018-2022; year-over-year revenues – A copy of the PowerPoint presentation is on file with this day's minutes.

The meeting concluded at 3:17 p.m. and was for informational purposes only; no motions were made. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 14, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Samantha Hammond, Planner I; Madelyn Vander Veen, Planner I; and Sage Huggins, Planner I.

APPLICATION FOR APPROVAL TO ACCEPT OUTSIDE EMPLOYMENT

The Board approved an application for outside employment for Devin Krasowski.

OPEN STATEMENTS OF QUALIFICATION FOR THE REQUEST FOR QUALIFICATIONS FOR WAREHOUSE AND SHELTER PROJECT

The Board met today at 9:08 a.m. to open statements of qualifications for the request for qualifications for warehouse and shelter project. Present were: Commissioners Leslie Van Beek and Brad Holton, Deputy P.A. Oscar Klaas, Facilities Director Rick Britton, COO Greg Rast and

Deputy Clerk Jenen Ross. The request for qualifications were due today by 8:59 a.m. The following bids were received:

- Scott Hedrick Construction received February 13, 2023 at 9:48 a.m.
- Beniton Construction received February 14, 2023 at 8:02 a.m.

Copies of each of the submittals are on file with this day's minutes.

The meeting concluded at 9:12 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:30 a.m. for a meeting with county attorneys for a legal staff update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, DSD Planner Jenna Petroll, COO Greg Rast and Deputy Clerk Jenen Ross.

Note for the record: As properly noticed the Board met today at 9:30 a.m. for a legal staff update. 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 9:31 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, DSD Director Sabrina Minshall, DSD Planner Jenna Petroll and COO Greg Rast. The Executive Session concluded at 10:06 a.m. with no decision being called for in open session.

PUBLIC HEARING – CONSIDER PRELIMINARY PLAT FOR HIDDEN LEGENDS ESTATES, CASE NO. SD2022-0003

The Board met today at 10:09 a.m. to consider a request by Kent Bradshaw for approval of a Preliminary Plat (with irrigation and drainage plan) for Hidden Legends Estates, Case No. SD2022-0003. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, Kent Bradshaw, Allison Bradshaw, Jesse Christensen, Keith Bradshaw, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed

that she had a conversation with planning official and had asked for clarification on the short plat being changed to a preliminary plat application, and would also like clarification on the road section in the staff report. Dan Lister gave the oral staff report. The development consists of 19.59 acres and will have 8 residential lots and 1 private road lot. The subject property, Parcel No. R34502013, is located SW of Willis Road and adjacent to I-84, Caldwell, in the NE ¼ of Section 4, T4N, R3W, BM, Canyon County, Idaho. The applicant's engineer submitted a letter dated March 8, 2022 stating the current road construction does not meet County standards. The road needs to be constructed with a structural road section that provides 22 inches of gravel equivalence. Due to construction requirements that are required at the final plat stage, the applicant amended their application to look at the preliminary plat only. A final application will come later. On December 15, 2022, the P&Z Commission recommended approval of the preliminary plat subject to conditions. Staff prepared FCO's based on the P&Z Commission's recommendation. Following his report, Mr. Lister responded to questions from the Board. Jesse Christensen with HECO Engineers testified on behalf of the applicant. When they found out the road did not meet County standards they looked at different wants for the road to meet standards, one of them was limiting traffic but it just did not work for what they needed for the subdivision so they milled off the top portion of the road and overlaying an asphalt section thick enough to meet County standards. The road construction will be bonded. They will install stormwater infiltration swales on both sides of the road to capture the road run off, and the onsite lot runoff will be captured in their own individual swale on the backside of the lots. He gave testimony regarding the pressurized irrigation system and the applicant's communication with Black Canyon Irrigation District. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the preliminary plat for Hidden Legends Estates as presented and with the conditions of approval. The hearing concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

GAS COLLECTION SYSTEM IMPROVEMENTS AND FLARE STATION PRESENTATION

The Board met today at 11:03 a.m. for a gas collection system improvements and flare station presentation. Present were: Commissioners Leslie Van Beek and Zach Brooks, Landfill Director David Loper, COO Greg Rast, Maureen McGraw with Tetra Tech and Deputy Clerk Jenen Ross. A PowerPoint presentation was provided to the Board which is on file with this day's minutes. Ms. McGraw gave an overview of the presentation with topics as follows:

- What is Landfill Gas and why does it matter?
- Why now? Regulatory framework
- Gas collection and control system compliance schedule
- Air regulations: Permit to construct
- Design overview
- Flare station location
- Goals of GCCS

- Vertical landfill gas wells
- Vapor monitoring probes
- Horizontal landfill gas well
- Photos of horizontal landfill gas wells
- Photos of utility flare station
- Operational components

The meeting concluded at 11:49 a.m. and an audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 15, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claim 592117 ADV in the amount of \$3,099.99

NEW ELECTIONS BUILDING WORKSHOP

The Board met today at 10:03 a.m. for a new elections building workshop. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Facilities Director Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross.

The topics of discussion included a review of possible building size (12,000 sq. ft vs. 15,000 sq. ft.); site locations; longevity of being able to serve the community; possible amenities such as a drive-up window, loading dock and storage and training space; meeting the city of Caldwell requirements. Other discussion items included timelines and requirements for use of the ARAP funds; potential lease or purchase of ground adjacent to the county parcel.

Director Britton provided preliminary drawings of the site plan and elections floor. Copies of these drawings are on file with this day's minutes.

Commissioner Van Beek made a motion giving direction to Director Britton on the contemplated election building and authorize him to spend additional funds for sketches to look at a 15,000 sq. ft. building on property already owned by the county using ARPA funds and for the Clerk to stay involved. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:40 a.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner Holton made a motion to go into Executive Session at 11:01 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A 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, Fair Director Diana Sinner and COO Greg Rast. The Executive Session concluded at 11:29 a.m. with no decision being called for in open session.

The Board gave direction for Director Sinner to consult with legal and if there are any decisions that need to be made for her to contact staff in order to get that scheduled for a public meeting with the Board.

The meeting concluded at 11:30 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

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

Commissioner Holton made a motion to go into Executive Session at 11:32 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A 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, HR Director Kate Rice, COO Greg Rast and Interim IT Director Eric Jensen (Mr. Jensen left the meeting at 11:54 a.m.). The Executive Session concluded at 12:01 p.m. with no decision being called for in open session.

PUBLIC HEARING - REQUEST BY GREGORY AND ANN OBENDORF FOR A CONDITIONAL REZONE FROM AN AGRICULTURAL ZONE TO A SERVICE COMMERCIAL ZONE, CASE NO. RZ2022-0007

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Gregory and Ann Obendorf, represented by BRS Architects, for a conditional rezone of a 12.6-acre portion of parcel R32686 from an “A” (Agricultural) zone to a “C-2” (Service Commercial) zone. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Official Dan Lister, Todd Lakey, Pat Colwell, Alan Mills, Curtis Crystal, Mark Wendelsdorf, Bud Bowman, Lisa Bowman, Jim Thompson, Heather Scott, other interested persons, and Deputy Clerk Monica Reeves.

Dan Lister gave the oral staff report (mark 4:00 to 27:52). The request is for a conditional rezone of a 12.6-acre portion of a 40.4-acre parcel from an “A” (Agricultural) zone to a “C-2” (Service Commercial) zone. The property is located on the northeast corner of Farmway Road and Karcher Road in Caldwell. The request includes a development agreement. The 12.6-acre portion will be developed in three phases:

Phase 1: Gas station with a convenience store at the corner of Farmway Road and Karcher Road on a 3-acre lot; and

Phase 2: A seasonal farmers market on a one-acre lot; and

Phase 3: A carwash accessory to the gas station and some commercial lots along Karcher Road. As part of the development agreement, Phase 3 would not occur until city services are available.

The 2020 comprehensive plan designates the future land use of the parcel as commercial. The parcel is located within the Caldwell impact area and is designated as highway corridor on their comprehensive plan and that designation would only apply if the property was annexed into the City of Caldwell. The majority of properties in the area are zoned agricultural with an average lot size of 10.37 acres. The area is in transition; several fields are still in ag production but there are also subdivisions and commercial uses in the area. The property is considered prime farmland if irrigated, and the property does have surface irrigation rights. Mr. Lister reviewed the zoning designations and uses in the area. The development agreement requires: a traffic impact study at the time of final platting; internal public roads approved by Canyon Highway District; maintain a 1.35-average residential density; and a wastewater treatment system is required. Per County code, this decision shall not be presumptive proof that the zoning of other property adjacent to, or in the vicinity of the conditional rezone properties should be zoned the same. City services are not available to the property at this time, therefore the gas station, convenience store, and seasonal farmers market would be required to meet IDWR, SWDH and DEQ requirements. Wells in the immediate area show low levels of nitrates. DEQ will require a public drinking water system if the use serves 25 or more people for 60 days or more a year. Future development will be required to provide irrigation water to all landscaping and retain stormwater on site. The applicant commissioned a traffic impact study by T-O Engineers which was completed in November of 2021 and updated in March of 2022. The proposed development is expected to generate a total of 1,770 net new daily trips. There was a review of access requirements; a northbound right turn lane should be constructed concurrently with Driveway “A” to provide access with no turning restrictions. At Highway 55 and Driveway “B” a westbound turn lane should be constructed concurrently to provide right in/right out access only. Canyon Highway District does not oppose

the request subject to conditions of approval. ITD provided comment and stated their conditions with the approach must be relocated to the east and that the developer shall provide funding for ITD to design and construct a right turn lane and raised median to be included in ITD's project which is the improvements from Indiana Avenue to Pear Lane. The developer shall provide dedication of right-of-way from the access location to the easterly property boundary to accommodate the future right turn lane. ITD is not opposed subject to the conditions and funding improvements. Mr. Lister reviewed the agency comments. Six letters of opposition were received with the following concerns: city services and Karcher Road improvements should be completed prior to development; the current conditions of Karcher Road and Highway 55 are congested with inadequate highway capacity; promotes incremental removal of valuable farmland the commercial use is not needed in the area; environmental risk concerns from fuel storage tanks; the proposal does not address noise or exterior lighting impacts; infrastructure expansions are a burden on taxpayers; and the developer should work with the city to bring services to the property. Staff also received 43 letters of support. On August 4, 2022, the P&Z Commission recommended denial of the request because they found the request is premature and should wait until Karcher Road is improved and city services are available; the majority of the properties in the immediate area are still zoned as agriculture which currently lack city services and infrastructure. The P&Z Commission did not see the comment letter and information from ITD, and they felt input was critical for this type of decision. They found the request to be inconsistent with the agricultural preservation protection policies of the comprehensive plan. Staff's recommended FCO's are based on the recommendation of denial by the P&Z Commission. Following his report, Mr. Lister responded to questions from the Board.

Commissioner Van Beek disclosed ex parte communication she had with the manager of Lakeview Fruit, additionally, the Dowens have leased her property for farming in the past. Ms. Dowen's point was that the widening of Karcher Road would take out the fruit stand they are currently operating and she said they want to locate at the southeast corner of Karcher Road and Highway 55.

The following people testified in support of the request:

The applicant's representative, Todd Lakey, (mark 28:40 to 49:40) gave testimony regarding the project design and site plan; zoning designations in the area; road improvement plans, and access. The applicants are only rezoning the frontage being the 12 acres of the 40-acre parcel and they do not believe the proposal will negatively impact the area. The development will consist of three phases: a convenience store will be first; the farmers market located on Riverside and Highway will be relocated and this will significantly improve the access, parking, and the building itself; and the carwash and the other commercial use will be on the remainder of the 12 acres after city services are there which will likely be in 5+ years. The comprehensive plan and zoning ordinance strongly support the application. The City of Caldwell's plan supports this proposal which is a highway-oriented commercial use. According to Mr. Lakey, the P&Z Commission had a split decision of 3-to-2 and they utilized four or five goals/policies that focused on making the landowner continue to farm the 12 acres. He spoke about balancing growth and said ag and commercial uses can co-exist; the County has designated commercial areas along this corridor;

and the property is on a major transportation corridor on a signalized intersection. There are 726 lots within one mile of the subject property; and two subdivisions in platting for 387 lots as well as additional residential. The water system will probably be a public water system that will be engineered and designed in accordance with the agency requirements. There is a strong aquifer that can support the well on the site. Regarding fuel storage, it is highly regulated as far as the design of the tanks, retention areas, and installation. ITD will be widening to Farmway Road, and the traffic impact study shows we have high levels of service and capability, and they will install the turn lanes on Farmway and Highway 55. Following his testimony, Mr. Lakey responded to questions from the Board.

Patrick Colwell (mark 49:51 to 55:20) provided testimony regarding the technical aspects of the project. They have coordinated with SWDH on the permit approval process for the septic systems and drain fields, and have obtained approval from the Department of Water Resources for the future public well. Storm drainage will be retained on site and will not be discharged to any irrigation or drainage facilities. Traffic impact studies have been completed and approved by Canyon Highway District and ITD, and they have conditionally approved access permits and they expect final approval after this hearing. There are plans for Highway 55 to be improved to five lanes through that section. Following his testimony, Mr. Colwell responded to questions from the Board.

Alan Mills (mark 55:29 to 1:02:52) testified the property has had a future commercial zoning designation for many years. He spoke about how competition is good for the consumer and he noted that the operator is going to sell ethanol-free fuel which will help the vicinity be able to handle small engines. He believes the project will be a benefit to the community and to the tax base of Canyon County. According to Mr. Mills, the owner of the Karcher Farms property supports this application. Following his testimony, Mr. Mills responded to questions from the Board.

Curtis Crystal (mark 1:03:14 to 1:06:57) testified about the architectural features of the project. There will be fueling stations for regular vehicles and diesel; good wide circulation for the site to avoid congestion between the different types of vehicles using the site; ample parking; areas around building for outdoor dining areas; landscaping to meet city requirements; and a 20-foot landscape buffer on both sides; an area for pets; and EV charging stations.

Heather Scott (mark 1:07:30 to 1:11:06) is the manager of the Lake Storage, the facility directly across the street from the subject property and she supports the project with conditions. The storage facility opened in the spring of 2020 and since that time they estimate there have been 10-15 car accidents at the intersection near their property. Due to traffic safety concerns Ms. Scott said developers should make sure there is no way to make a left turn off Karcher Road. In 2020 there was a different proposal and the storage facility manager suggested the speed limit on Farmway Road be reduced and it was, from 50 mph to 40 mph. They believe the segment in front of the subject property on Farmway Road should be reduced as well. Ms. Scott said after their storage facility was built they learned about the highway expansion and now they have to move a security fence, a fire hydrant, and 500 feet of subgrade seepage beds so it needs to be made very clear that there will be a full five-lane expansion and the right turn lane so the applicants know

what they need for their project. She further testified that the storage facility had to drill down to 550 feet to hit the aquifer.

Jim Thompson (mark 1:13:26 to 1:14:40) is a realtor who testified in support of the request. He is one of the owners of 24 acres north of the subject property and he said the properties in the area have been commercial for several comprehensive plans, and the proposed use fits within that zoning designation.

Rebuttal testimony was offered by Todd Lakey (mark 1:14:58 to 1:19:30) who provided additional comments regarding traffic. There will be a right in/right out as approved by ITD; the right-of-way dedication is incorporated into the design; the traffic analysis looks at the current status of the site, existing traffic volumes, and it looks at it at build-out and that chart shows the levels of service still being high levels of service of B and C ranges. They do not need the widening project to be completed in order to comply with the conditions of requirements for ITD and the highway district, but it will be designed with that in mind. The proposal conforms with the comprehensive plan and this is the exact location where this kind of proposal should occur.

Dan Lister (mark 1:19:51 to 1:21:00) stated the commercial designation is in line with the future land use plan of the 2030 comprehensive plan designation but staff did not do an analysis of the goals and policies for this because the application came in under the 2020 comprehensive plan. The P&Z Commission was not necessarily opposed to the phase 3 connection to city services, they were opposed to the entire project not being connected to city services due to the letter from the City of Caldwell stating they want the development connected to city services. The design by Curtis Crystal is not part of our development agreement, and if the Board wants that design to be in substantial compliance to what was shown then that conceptual plan will need to be added to the development agreement and added as a condition. Currently we do not have any design criteria. Commissioner Van Beek likes that and said at times it is used as enticement to sway a Board to approve.

Todd Lakey (mark 1:21:47 to 1:22:21) said he has no problem including the site plan and requiring substantial compliance. They want to pursue phase 1 and 2, but phase 3 will not proceed until there are services from the City of Caldwell. There is a requirement for a pre-annexation with the City of Caldwell regarding that.

Mr. Lister identified the late exhibits which were entered into the record. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. The Board deliberated as follows (mark 1:24:35 to 1:33:16):

Commissioner Van Beek is in favor of the request with some of the conditions that have been presented, notably that no left-hand turn onto Highway 55, including Exhibit No. 11 from Mr. Crystal on the substantial compliance and adding that to the development agreement. The findings need to be amended. This was presented to the P&Z Commission with a recommendation of approval so the Board would be in compliance with staff's recommendation. She understands the concerns but said there was testimony that this has been a part of the comprehensive plan all along. The County has to put commercial development somewhere; there is an argument for

access and fueling services and support of agritourism in that Lakeview Fruit Stand, so the buildout of that supports agriculture. If you venture out onto Karcher Road off Riverside Road there is a slope, and a righthand turn would be easier than trying to make a left turn onto Farmway and then going west on Karcher Road. There is good support but we need to amend the conclusions of law for the conditional rezone - it is consistent with the comprehensive plan. She referenced Condition B (staff notes it is in Exhibit No. 10 in the staff report) and said that is the basis of her support for staff's recommendation. Mr. Lister said the only condition we don't need to change is Condition No. 2c because it includes the letters from Canyon Highway District and ITD which already spell out they need to have a right in and right out, and the left-hand turn; it's already part of that condition. He can add Condition No. 2d to have the conceptual design plan to be in substantial compliance. The only findings we need to change are the ones shown by the P&Z Commission to be A, B, and G. What he is hearing is that based on conditions the Board believes it will not be injurious and traffic impacts for the existing and future finding can be made. It sounds like the Board agrees with some of the policies provided by Alan Mills and also Exhibit No. 10. Finding B of Exhibit No. 10 goes into why it's more appropriate so staff can make those changes, and if the Board agrees with some of the findings on Exhibit No. 10 staff can transfer those over. This is a material change therefore a second hearing will be required to consider the approval and at that time the conditions, and the revised findings of fact would come back and after the second hearing the Board could sign it. The P&Z Commission recommended denial and some of the information provided in this staff report is different from what they saw: a letter from ITD and a design they never saw. A second hearing will be noticed for a second hearing by the Board. Commissioner Van Beek said based on the testimony by Ms. Scott and Commissioner Brooks' concerns on the width, is there any need to have that validated again? Mr. Lister said they have to meet the standards as part of the design of the development, and we already have Condition No. 2c that requires review prior to any development of the site. They have to have the final traffic study reviewed and meet the conditions of the letters provided by ITD and Canyon Highway District. Any improvements will be required through funding or through actual improvements. Commissioner Van Beek said it looks like a big oversight to not take that into consideration when that storage unit was put in. Commissioner Holton concurs that it is a change and that the P&Z Commission did not have the information to review. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to provide conditional approval on Case No. RZ2022-0007 for Greg and Ann Obendorf, and have staff amend the FCO's for items A, B, and G and to also amend the development agreement. As soon as reasonably possible a second public hearing will be scheduled. The hearing concluded at 3:05 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM
CALDWELL, IDAHO FEBRUARY 16, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Donald Prenesti – Deputy Judicial Marshal; Glenn Rodriguez – Deputy Judicial Marshal; and Michael Bruce Mauldin – Deputy Judicial Marshal.

VACATE PUBLIC HEARING REGARDING THE APPEAL BY EW REAL ESTATE, LLC, FOR A C.U.P. TO ALLOW AN AGRITOURISM ORIENTED SPECIAL EVENTS FACILITY USE WITHIN AN "A" (AGRICULTURAL) ZONING DISTRICT, CASE NO. CU2022-0034-APL

The Board went on the record today at 9:00 a.m. to announce the vacation of a public hearing regarding the appeal by EW Real Estate, LLC, for a conditional use permit to allow an agritourism oriented special events facility use within in an agricultural zoning district, Case No. CU2022-0034-APL. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, and Deputy Clerk Monica Reeves. Commissioner Holton said the case has been vacated per the request of the applicant and at this time we do not have a future date certain so there will be no opening of public hearing. The meeting concluded at 9:01 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:02 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, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Director of Indigent Services Yvonne Baker (left at 10:10 a.m.), Indigent Service Case Manager Kellie George (left at 10:10 a.m.), Clerk Chris Yamamoto (left at 10:10 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution setting forth the authority of the County Coordinators to act on behalf of the Canyon County Board of Community Guardians: The Board is satisfied with the document as presented and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution setting forth the authority of the County Coordinators to act on behalf of the Canyon County Board of Community Guardians (see resolution no. 23-018)

Consider resolutions reappointing the following members to the Board of Community Guardians: Clair Roper, Mary Jo Campbell, Dottie Neher, Susan Puga, Joan Columbo, Marilyn Freeman, Mary Confer, Eva Gohr, and Jean Udesen: It was noted that Ms. Gohr was recently appointed to a 2-year term so there is no resolution for her today. Terms have been set at 3-years and 4-years and based on the recommendation from Director Baker, Ms. Roper, Ms. Neher and Ms. Campbell will be appointed to the 3-year terms and Ms. Puga, Ms. Columbo, Ms. Freeman, Ms. Confer and Ms. Udesen will be appointed to 4-year terms. Commissioner Van Beek made a motion to sign resolutions appointing members to the Board of Community Guardians. The motion was seconded by Commissioner Brooks and carried unanimously (see resolutions 23-019 thru 23-026).

Consider City County Narcotics Unit Mutual Assistance Compact: This is an agreement that is updated periodically and has been signed by the Prosecutor, Sheriff, Mayor Wagoner and Police Chief Rex Ingram. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the City County Narcotics Unit Mutual Assistance Compact (see agreement no. 23-023).

Discussion ensued regarding the policy governing the written minutes. Mr. Wesley said he and the administrative staff in his office are working to get language in the resolution updated and that current statutes are referenced. Mr. Rast provided an overview of the new agenda that will be live in the next couple of weeks which will provide more visibility to the public on Board action items, voting records and attendance.

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

CONSIDER REQUEST FOR RECONSIDERATION FOR CASE NO. CU2022-0007-APL, REGARDING SYMMS FRUIT RANCH, INC.

The Board met today at 10:32 a.m. to consider the request for reconsideration filed by G. Dar Symms in Case No. CU2022-0007-APL, regarding the appeal by Symms Fruit Ranch, Inc., for a conditional use permit to allow an agritourism proposed RV resort. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Deputy PA Zach Wesley, DSD Director Sabrina Minshall, COO Greg Rast, John Starr, and Deputy Clerk Monica Reeves. Deputy PA Wesley said staff has worked through the comments that were received in the request for reconsideration and prepared a potential written response for the Board that addresses the points, such as: The application was modified at the hearing to 98 spaces when 105 spaces were applied for, and that is addressed in the decision and in the amended FCO's. The other point is the traffic situation. There was a negative finding for traffic and as was pointed out in the request for reconsideration there was approval from both highway districts and is addressed in question #7 in the original findings and in the amended findings and so this addresses that as well. There were a couple of other points as well. Commissioner Holton concurs with Legal about the amendments that they addressed and affirming the original decision. In the matter of the request filed by G. Dar Symms

for the reasons stated in the written decision, Commissioner Van Beek made a motion to amend and affirm the Board's written findings of fact, conclusions of law, and order in Case No. CU2022-0007-APL. The motion was seconded by Commissioner Brooks and carried unanimously. On file with this day's minute entry is the Board's written decision on the request for reconsideration as well as amended FCO's for Case No. CU2022-0007-APL. The meeting concluded at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RELEASE OF CERTIFICATES OF NON-COMPLIANCE

The Board met today at 11:00 a.m. to consider release of certificates of non-compliance. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, Code Enforcement Supervisor Eric Arthur and Deputy Clerk Jenen Ross. Mr. Arthur provided details of the cases and the actions that have been taken on each property.

26300 Sand Road, Parma, Idaho: Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the release of certificate of non-compliance.

1508 S. Powerline Road, Nampa, Idaho: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the release of certificate of non-compliance.

Copies of the recorded documents are on file with this day's minutes. The meeting concluded at 11:08 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:31 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, DSD Office Manager Jennifer Almeida, GIS Analyst Tony Almeida, DSD Planning Official Dan Lister, Deputy P.A. Zach Wesley, COO Greg Rast, Other members of the community and Deputy Clerk Jenen Ross.

Ms. Almeida gave a presentation to the Board on the revised land use hearing page they've been working on for the website. The Board is supportive of the direction DSD is headed on this project.

Mr. Almeida spoke about the application he's created for the website that is interactive mapping to show overlay comparisons of different zones and areas.

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 1:52 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner 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, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, DSD Planning Official Dan Lister and COO Greg Rast. The Executive Session concluded at 2:29 p.m. with no decision being called for in open session.

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

BOARD OF EQUALIZATION: MEETING WITH COUNTY ASSESSOR REGARDING MISSED SUPPLEMENTAL AND OCCUPANCY ROLLS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:30 p.m. with the County Assessor regarding missed supplemental and occupancy rolls. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assessor Brian Stender, Admin Property Appraisal Supervisor Greg Himes, and Deputy Clerk Monica Reeves. COO Greg Rast arrived at 3:40 p.m. Assessor Stender and Supervisor Himes presented the Board with information in the following categories:

- 2022 Abstract by Category – Missed Supplemental
 - The County is picking up Net Taxable Value \$10,918,210
 - This amount used to be substantially larger because transient personal property used to be included in it. There is no replacement money for that.
 - Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to approve and equalize the 2022 Abstract by Category - Missed Supplemental Real Property Roll presented by the Assessor in the amount of \$10,918,210
- 2022 Abstract by Category - Occupancy

- The total value added was \$384M
- 2022 Occupancy Assessed Value by Taxing District
- PM203 – Supplemental Cadastre Detail Report - Supplemental Gross & Net Values

The reports are on file with this day's minute entry. There was discussion regarding assessed values, legislation, equalization issues, and the homeowners exemption proration issue. The Board was asked to equalize the missed supplemental and occupancy rolls. The meeting concluded at 4:10 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 17, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

EXECUTIVE SESSION – NAMED PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 10:00 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d), and (f) regarding named personnel, records exempt from public disclosure, and communicate regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton and carried unanimously. The Executive Session was held at the ICRMP Office located at 3100 Vista Avenue in Boise, Idaho. Present were: Commissioners Brad Holton, Leslie Van Beek, and Zach Brooks, Chief Operating Officer Greg Rast, Tim Osborne, Kelly Paananen, Sandy Moser, and Scott Oldham from ICRMP. Carl Ericson arrived at 11:08 a.m. Ms. Paananen left at 11:18 a.m. The Executive Session concluded at 11:52 a.m. with no decision being called for in open session. An audio recording of the open portion of this meeting is on file in the Commissioners' Office.

TOUR OF PICKLES BUTTE SANITARY LANDFILL

The Board toured the Pickles Butte Sanitary Landfill this afternoon. There were no motions, action items or Board direction entertained or given.

FEBRUARY 2023 TERM
CALDWELL, IDAHO FEBRUARY 21, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 592248 to 592294 in the amount of \$72,905.51
- The Board has approved claims 592295 to 592329 in the amount of \$175,331.09
- The Board has approved claims 592406 to 592421 in the amount of \$5,910.25

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Evangelina Oregon, Sr. Admin. Specialist; Charlotte Martyn, Legal Support Specialist I; Shane Sears, Temp. Elections; Trina Harrell, Temp. Elections; Bonnie Wood, Temp. Elections; Garrett Hilsabeck, Deputy Sheriff – Inmate Control; Brian Richard, Deputy Sheriff – Inmate Control; Lucas Martin, Deputy Sheriff – Inmate Control; Cody Roeder, Deputy Sheriff – Courts & Transports.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Poly Seal in the amount of \$9500.00 for the Facilities department
- WBS in the amount of \$1445.08 for the Facilities department
- Southern Idaho Electric in the amount of \$10,878.00 for the Facilities department
- Interstate Electric in the amount of \$1606.26 for the Facilities department
- Idaho Power in the amount of \$3000.00 for the Facilities department
- Cardio Partners in the amount of \$2726.00 for the Facilities department
- Carbon Network LLC in the amount of \$23,450.00 for the Information Technology Department

APPROVED JULY 2022 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of July 2022 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

APPROVED AUGUST 2022 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of August 2022 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

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, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Director of Juvenile Detention Sean Brown (left at 9:34 a.m.), Treasurer Tracie Lloyd (left at 9:38 a.m.), Chief Deputy Treasurer Jennifer Mercado (left at 9:38 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider Juvenile Detention Housing Agreement with Gem County: This is the standard agreement that has been used for many years for jurisdictions within the state of Idaho. There are no changes to the agreement and the daily rate is \$210. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the juvenile detention housing agreement with Gem County (see agreement no. 23-024).

File in minutes:

- Treasurer's Monthly Report for November, 2022
- Treasurer's Monthly Report for December, 2022
- Treasurer's Quarterly Report for October 1, 2022 through December 31, 2022

Treasurer Lloyd gave a brief overview detailing the information within the reports. This is not an action item but for informational purposes only.

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 9:39 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, DSD Director Sabrina Minshall and COO Greg Rast. The Executive Session concluded at 10:29 a.m. with no decision being called for in open session. At the conclusion, Commissioner Van Beek made a motion to continue the executive session to 2:00 p.m. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider the request for reconsideration for Case No. CU2022-0022-APL: Commissioner Van Beek made a motion to approve the amended FCOs and affirming the original decision made by the Board. The motion was seconded by Commissioner Brooks and carried unanimously.

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

CONTINUE THE PUBLIC HEARING REGARDING A PRELIMINARY PLAT AND FINAL PLAT FOR RED COW FOLD SUBDIVISION, CASE NO. SD2021-0040

The Board met today at 10:30 a.m. for the public hearing regarding a preliminary plat and final plat for Red Cow Fold Subdivision, Case no. SD2021-0040. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, COO Greg Rast, Other community members and Deputy Clerk Jenen Ross.

Commissioner Holton stated that there has been a request from legal in order to finish the documentation for this case. Commission Brooks made a motion to continue this hearing to 2:00 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 10:31 a.m. An audio recording is on file in the Commissioners' Office.

CANYON COUNTY SOLID WASTE ADVISORY COMMITTEE UPDATE

The Board met today at 1:34 p.m. for an update on the Canyon County Solid Waste Advisory Committee (SWAC). Present were: Commissioners Brad Holton and Zach Brooks, Solid Waste Director David Loper, Chief Operating Officer Greg Rast, and Deputy Clerk Monica Reeves. The purpose of today's meeting was for Director Loper to provide an update to the new Board on the formation of the SWAC. In August of 2022 the previous Board adopted an ordinance to create a SWAC, and in September of 2022 they adopted bylaws in how the advisory committee will operate. In 2022 the County explored the concepts of transfer stations for the following reasons: convenience to citizens; reduce traffic and hauling on the roads; reduce litter that gets scattered, and reduce traffic and volume at the landfill itself. Businesses in the industry became aware and wanted input and to talk about pricing, recycling, and the control of waste flow. In general, the County needs to be careful in not competing with private industry. Industry wants to own and operate the transfer station but they want assurances that the County will take a step back and not install or operate the transfer station. The Board wanted community input so the idea of a SWAC was developed so we could have more robust discussions. The SWAC will consist of seven voting members (one from each Commissioner district, and one each from the Nampa, Caldwell, Middleton and Parma areas), as well as non-voting members from the industry. There was discussion regarding the potential names of appointees but no decision was made. Director Loper

is hoping to have the names within the next 2-3 weeks. The meeting concluded at 1:51 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER THE PRELIMINARY PLAT AND FINAL PLAT FOR RED COW FOLD SUBDIVISION, CASE NO. SD2021-0040 (CONTINUED FROM THIS MORNING)

The Board met today at 2:05 p.m. to conduct the continuation towards the conclusion of the public hearing regarding the preliminary plat and final plat for Red Cow Fold Subdivision, Case NO. SD2021-0040. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, COO Greg Rast, Hans Bruijn, Connie Hill Bruijn, other interested citizens, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley reviewed the draft conditions of approval that were prepared by staff as directed at the previous hearing which was held on February 9, 2023:

The Board will grant that request and allow the private road to be built according to the County standards. The only exception to that is the City of Nampa is going to retain jurisdiction to assign the street name. This did not get into the debate about whether litigation was pending or not. That is a question for the City of Nampa to resolve on their own.

There was a statement about the availability of irrigation to this property but it was not resolved. The property is large enough that it can probably be irrigated by a domestic well which is only allowed a ½ acre so if they are going to have the whole thing in production or grass they will have to rely on that irrigation right. That needs to be decided by the applicant before they complete their final plat. This has been conditioned so that either way they have that resolved in time for the final plat; either they have the issue with the irrigation district worked out so they have that right available, or they are doing something else to condition the property so that it's not left unirrigated.

This parcel was split off from a parcel that continues to be owned by the parents and they plan to share a domestic well but that was not clear on the preliminary plat that was submitted and we also didn't have an agreement governing the shared use of that well and so those are requirements that will be in place for the final plat.

P&Z Commission Condition #7 required the applicant to go through a private road variance, but that condition is no longer applicable by the time they got to the Board because they had on the preliminary plat a private roadway with a width that met the County's ordinance.

P&Z Commission Condition #8 stated that prior to preliminary plat being approved by the Board, a property boundary adjustment would be completed; however, staff indicated that would not be the correct procedure to resolve this and so the conclusion was the Board would approve the preliminary plat without that condition and the applicant would have to resolve that matter independently of this process on their own, likely through a rezone.

The remainder of the conditions that are outstanding from the P&Z Commission's recommendation are still in place along with conditions for those new requirements and those will have to be completed before the final plat is approved. The Board reviewed the proposed FCO's. Commissioner Van Beek made a motion to approve the preliminary plat for Red Cow Fold Subdivision, Case No. SD2021-0040, subject to the conditions of approval enumerated in the FCO's. The motion was seconded by Commissioner Brooks and carried unanimously. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The hearing concluded at 2:15 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 2:16 p.m. for a continuation of this morning's legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure and attorney-client communication, and to communicate with legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 2:16 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). The motion was seconded by Commissioner Holton. A vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks 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 PA Zach Wesley, DSD Director Sabrina Minshall, and COO Greg Rast. DSD Planning Official Dan Lister arrived at 2:26 p.m. The Executive Session concluded at 2:31 p.m. with no decision being called for in open session.

MEETING WITH DIRECTOR OF DEVELOPMENT SERVICES DEPARTMENT 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, Deputy P.A. Zach Wesley, Director of DSD Sabrina Minshall, DSD Planning Official Dan Lister, COO Greg Rast, Keri Smith and George Crookham and Deputy Clerk Jenen Ross.

Discussion topics included the following:

- Economic Development
 - Commissioner Holton would like to see someone on the county side when business incentive tax exemptions are applied for and considered.

- Engagement with BVEP and WAED - the Board will take this under advisement for the time being.
- Comprehensive Plan
 - The Board is supportive of moving forward as outlined by Director Minshall and working on some of the more attainable goals. Commissioner Holton also requested that workshops with the ag community take place during their less busy season.
- Next steps
 - Prepping the goals, policies and objectives, informal engagement with cities and Board direction on workshops/subjects.

Copies of the PowerPoint presentation and hand-outs are on file with this day's minutes. The meeting concluded at 3:22 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 22, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Merri Melde, P/T Interpretive Specialist; and Colton Oswald, P/T Interpretive Specialist.

CONSIDER FINAL PLAT FOR HORIZON RIDGE SUBDIVISION, CASE NO. SD2021-0069

The Board met today at 10:01 a.m. to consider the final plat for Horizon Ridge Subdivision, Case No. SD2021-0069. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Engineering Coordinator Stephanie Hailey, County Engineer Devin Krasowski, Blake Wolfe, and Deputy Clerk Monica Reeves. Stephanie Hailey gave a brief summary of the final plat, a copy of which is on file with this day's minute entry. Staff noted that all conditions of approval have been met. Blake Wolfe offered comments in support of the plat. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the final plat for Horizon Ridge Subdivision, Case No. SD2021-0069, as presented by staff. The meeting concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER AN APPEAL BY MATT AND CHRISTY PERRY OF THE HEARING EXAMINER'S APPROVAL OF CASE NO. CU2022-0029

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of an appeal by Matt and Christy Perry appealing the Hearing Examiner's approval of a conditional use permit to install a wireless telecommunications facility on Parcel R29681122B, Case No. CU2022-0029-APL. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planner I Maddy Vander Veen, DSD Planner III Michelle Barron, Deputy PA Zach Wesley, Christy Perry, Matt Perry, William Packard, Mary Packard, Jon Liljegren, Brook Collins, Kirk Bowman, Jon Stewart, David Loper, Sara Upson, Renata Prozapas, Kenny McGaugh, Jr., Jason Evans, Jenelle Humphrey, other interested citizens, and Deputy Clerk Monica Reeves.

DSD Planner I Maddy Vander Veen gave the oral staff report. On June 1, 2022, Jenelle Humphrey with AT&T Mobility, representing Kevin and Robert Dinius, submitted a conditional use permit application (CU2022-0029) for a telecommunications facility located at 8455 Lonesome Dove Lane in Nampa, in the southwest corner of the parcel. The appellants, Matt and Christy Perry, are appealing the Hearing Examiner's decision to approve the CUP for a telecommunications facility. The original application proposed to install a 50' x 50' fenced compound around a 150' monopole telecommunications tower and ground equipment. The applicant is also requesting to install a 20'x12' concrete pad with a 30kw diesel generator and a 10'x10' walk-in cabinet that will house all of the equipment. The appellants are concerned with the danger of the tower falling over onto adjacent structures, disruption to the current drainage system and potential flooding issues, danger to crop dusting pilots, the only access to the tower is through a narrow subdivision road, and harm to the landscape and character of the area as well as property values. The property is designated agricultural on the future land use map and the request is substantially consistent with the comprehensive plan. Staff could not access the property so the site photos were taken at the entrance of the adjacent parcel almost 1,500 feet east of the property. The area is predominately agriculture. All essential services were notified of the proposed use and no comments were received. Staff recommends the Board deny the appeal and uphold the Hearing Examiner's approval of Case No. CU2022-0022. Following the report, Ms. Vander Veen and DSD Planner III Michelle Barron responded to questions from the Board.

Testimony in favor of the appeal (opposed to the cell tower) was as follows:

Christy Perry testified she has lived in the area for 22 years and the tower is proposed to be 30 feet from her property. She stated the Hearing Examiner was torn on this decision and in deliberation stated he was concerned with the impact on the neighborhood and the wastewater flooding that has occurred and he was not convinced this is the best site/best use of the property. He believes there are better locations for the tower. Originally, AT&T preferred a location on Track Road but that owner backed out and AT&T tried to get other locations. The neighborhood is inundated with telecommunication towers and major transmission lines that run through Star Pass Ridge, and this will be the fourth tower in a very small footprint. The density needs to be

spread out in a much larger area and not condensed to burden the neighborhood. Traffic for the construction of the tower has to come through Star Pass Ridge which is a very elegant neighborhood that has small roads and they maintain their own roads. Drainage is an issue; there was a massive mudslide on the Perry property and they met with Mr. Dinius about keeping his dirt on his property and so he put in a ditch, but they continue to have major water problems. There is also a cornfield that floods the Perry property and that owner put in sediment ponds but the water continues to still run right where the tower will be placed. It's not a viable location for a tower.

William Packard lives ½ mile from the proposed location of the cell tower and he is opposed to the proposal because this neighborhood is not the correct location for an unsightly 150-foot cell tower. He stated people paid for good views and the County is getting more tax revenue because of it. According to Mr. Packard, other neighbors are opposed due to the health effects of electromagnetic radiation and AT&T needs to find a suitable location for their towers.

Kenny McGaugh lives 350 yards from the site and testified there are two towers behind his property, and he believes it's ridiculous and unfair to place a 150-foot tower at this location. Mr. McGaugh has handicapped children and health problems and he doesn't want the tower placed near his home. He is also concerned about the wear on the tear on the road that will be caused by the construction traffic.

Brook Collins is a neighbor to the Perrys and has lived in the area for six years and last year he removed 40 yards of mudslide from an un-watered pasture. He is opposed to the request to place a cell tower at this location.

Curt Bowman has lived in the area for 50 years, and he used to farm all the way to Bennett Road. His concerns include: impacts to property value, the lack of access and the concern about how they will get equipment to the site, and wastewater runoff. He said AT&T said a reason Mr. Dinius didn't want the tower on top of the hill was due to his concern of it falling on his house, and that concern should also be considered at this location. There are other places such as the gravel pit or the gun range were not contacted.

Commissioner Van Beek disclosed that she has been friends with the Bowmans for many years. Testimony in opposition to the appeal (in favor of the cell tower) was as follows:

Jenelle Humphrey and Jason Evans from AT&T testified in support of their application, and in opposition to the appeal.

Jason Evans testified that AT&T partners with First Net, an emergency services group, and they found a location that meets all setbacks, guidelines, and regulations for this service need of a 150-foot monopole. There are no plans to place lighting on the tower structure. The Idaho Dept. of Transportation and the FAA will do an independent analysis based on the location to determine if it needs to be lit or if there is any registration required for pilots. Commissioner Van Beek noted there are already three towers in the area and she had questions regarding alternative sites or

placing the tower in a different location. Mr. Evans stated the proposed tower will not have any type of interference or interaction with the other towers in the area. In response to Commissioner Van Beek's question about drainage, Jenelle Humphrey testified it is not considered a drainage area. She contacted the County and asked if it was considered a floodplain area or drainage area and the County said no. The Board had follow-up questions regarding flooding with runoff, and why the gravel pit site was not considered as a location for the tower. Mr. Evans said when they go into the civil design and permitting phase those issues will be taken into the consideration. If it goes forward they will meet with staff and go through their recommendations to accommodate any drainage concerns, but at this point in the process they were not required to do that. Ms. Humphrey said gravel pit sites are not viable sites for cell towers because the tower has to go into the ground and if there's continual digging around it, it's not viable. Commissioner Van Beek said the gravel pit is not being used. Ms. Humphrey said if the pit is not being used they would have to look into it further. Commissioner Holton asked if AT&T provided documentation that this is the only site that's feasible for the tower. Ms. Humphrey said the coverage map showed the different candidates that were viable and this site was the best suited one after the primary choice fell out. There are other sites but they would not cover a large enough area and another tower would be needed. Mr. Evans said the sole purpose of this site is to clear a significant gap in coverage and this site provides the best location to close that gap of coverage. Commissioner Holton said it was alluded to that the owner of the property didn't want the tower by his house because he didn't want it to fall on his house. He asked if Mr. Dinius's property, which is further up in elevation, is a better site than what they offered to AT&T. Ms. Humphrey said she did not hear Mr. Dinius say that nor did he tell her the location had anything to do with the tower falling or affecting his view. The location being considered today is the spot he requested because it worked with AT&T's coverage plan. It sounds like Mr. Dinius may have other plans for his property and this site works the best for him. Commissioner Holton asked if anywhere on the Dinius property be as prime as the bottom corner that's right against a neighbor. Ms. Humphrey said she cannot speak to that because she's not a radio frequency engineer, but a property should be able to do what they want with their land in her opinion. Commissioner Brooks asked Ms. Humphrey to expound on the letter of intent from AT&T which states the tower will not be injurious to the properties in the immediate vicinity and/or negatively change the essential character of the area (Exhibit #7E). Ms. Humphrey said in her response letter she showed that even in the rare case of a fall, the fall zone would not be 150 feet, but just to appease she did put the radius at 150 feet and it barely goes over the property lines. The tower does not affect adjacent properties, and as far as aesthetics, there are other towers and power lines within the area.

Rebuttal testimony was offered by Christy Perry. When they attended the neighborhood meeting they spoke with the AT&T engineer about how it makes better sense to place a tower at the top of the hill for wider coverage, and the engineer agreed; however, it requires working with the homeowner and if the homeowner says they only want it in a specific location then that is what AT&T does. The tower could be moved. AT&T mentioned the gun range in their letter, but said they couldn't get a hold of the range; today Ms. Perry offered to help facilitate the contact between the parties. She stands to lose a quarter of a million dollars in property value by placing that tower so close to her property and that's a big burden to expect one person to absorb without any sort of compensation. Additional concerns include: the property owner not appearing at the

public hearings to discuss the proposal, and the loss of views. Following her testimony, Ms. Perry responded to additional questions from the Board.

The late exhibits were entered into the record. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Commissioner Van Beek said there is room to change the findings given the trepidation by the Hearing Examiner. There is a lot of opposition that is indicating injury to other properties, and in another case the Board made findings that cell towers do impact property values. She is in favor of the appeal by the Perrys for the following reasons: impacts to crop dusting, although she recognizes that's not an argument she can make because of the FAA regulations; stormwater drainage issues and the lack of a drainage study; and the fact that there appear to be other suitable locations, such as the Agenbroad gravel pit. Commissioner Brooks said Ms. Humphrey's testimony about the property owner being able to do what he wants speaks volumes to him because a person's property rights and ability to do things ends when it injures a neighbor's property. He referenced AT&T's response letter (Exhibit #7E, No. 6) which addressed the claim that there will be a loss in property value(s) due to the proposed monopole is a proxy for radio frequency (RF) concerns. He personally has no concerns about the RF and it cannot be used as cited here, but what is not substantiated is the claim that this will not affect the integrity or harm the value of the surrounding properties. The response in the letter states studies show that cell towers greatly enhance the surrounding area, but none of those are cited in the letter, there are no references for him to read. Commissioner Brooks understands the tower greatly enhances the usefulness of devices, but he disagrees that it enhances the area where these people live. The property owner has not attended the public hearings to state his case nor respond to questions and it seems a lot of the discussion is centered around the concern of the tower falling over, and in this location, it could potentially land on other properties so why wouldn't the property owner move it? Commissioner Holton is in agreement with the points brought up and it bothers him that the applicant owns a large parcel but has chosen to place the tower where it will impact his neighbors. This is prime agricultural ground and there could have been other choices made. There is no submittal about what it would do for the performance of the tower so he goes back to the question of *what is injurious to the neighborhood* and it appears the property owner has many other options to consider that would not impact the adjoining neighbors. Commissioner Van Beek is in favor of upholding the appeal by Matt and Christy Perry and overturning the Hearing Examiner's decision, and giving staff and Legal time to prepare amended FCO's. She said there was testimony from Mr. Packard and Mr. McGaugh that the height of this tower is significantly different than what's in the area. It would be injurious and would negatively change the essential character of the area. This is a nice area and to put that kind of infrastructure out there diminishes the quality of life for people around it and the views they purchased. The property values will change, and it will change from prime agricultural farm ground with an economic return to Canyon County because of the investment on the part of those homeowners. Commissioner Brooks said in reading the Hearing Examiner's deliberation it sounds like he could have just as easily denied the request because he was conflicted with many of the same concerns the Board has expressed today. Commissioner Van Beek said the applicants could investigate the alternative sites that were mentioned including the gravel pit and gun range. Commissioner Holton said it appears that even moving it back inside the property could mitigate the Board's concerns. Commissioner Van Beek made a motion to

overturn the Hearing Examiner's decision to approve the CUP, and uphold the appeal by Matt and Christy Perry, Case No. CU2022-0029-APL, and to direct staff and Legal to amend the conclusions of law and bring the FCO's back for the Board's review and final determination at a continued hearing to be held on March 8, 2023 at 1:30 p.m. The motion was seconded by Commissioner Brooks and carried unanimously. The public testimony portion of the hearing was closed. The hearing concluded at 3:08 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 23, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED PAYROLL FEBRUARY 24, 2023

The Board approved the February 24, 2023 payroll in the amount of \$2,157,541.35.

APPROVED CLAIMS

- The Board has approved claims 592118 to 592151 in the amount of \$52,906.72
- The Board has approved claims 592152 to 592201 in the amount of \$152,579.17
- The Board has approved claims 592202 to 592247 in the amount of \$139,775.02
- The Board has approved claims 592330 to 592376 in the amount of \$56,812.52
- The Board has approved claims 592377 to 592405 in the amount of \$20,981.44
- The Board has approved claims 592422 to 592470 in the amount of \$323,608.64
- The Board has approved claims 592471 to 592503 in the amount of \$92,588.15
- The Board has approved claims 592505 to 592526 in the amount of 18,778.52
- The Board has approved claim 592531 in the amount of \$1,454,085.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- edu Business Solutions in the amount of \$1,870.20 for the Information Technology Department
- Barking Dog Exhibits in the amount of \$4,936.64 for the Parks Department
- Boise Rigging Supply in the amount of \$5,219.20 for the Parks Department

- Priority Dispatch in the amount of \$2,690.00 for the Sheriff's Office

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change forms for Cadence Etheridge, Intern.

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 3/3/23, 3/14/23, 3/18/23, 3/19/23, and 3/25/23.

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 Leslie Van Beek, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Alex Klempel, Chief Deputy Sheriff Doug Hart, Controller Zach Wagoner, Cpt. Chuck Gentry and other CCSO personnel, Landfill Director David Loper, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Signing Resolution Authorizing the Retirement of CCSO K9 "Apollo": Apollo has been with CCSO for 7 years and a brief overview of the work Apollo has done was provided. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing the retirement of CCSO K9 "Apollo" (see resolution no. 23-027).

Consider Invitation for Bid and legal notice for the Installation of Gas Collection System and Flare Station Components Project at the Pickles Butte Landfill: Director Loper gave an overview of the project. Mr. Laugheed said that legal has worked with Director Loper for many months on this project and sees no legal reason not to move forward. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Invitation for Bid and legal notice for the Installation of Gas Collection System and Flare Station Components Project at the Pickles Butte Landfill.

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 9:42 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 Holton. 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, Controller Zach Wagoner, Landfill Director David Loper and COO Greg Rast. The Executive Session concluded at 10:18 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 10:33 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross.

Case no. 2023-54 meets the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the case as outlined by Indigent Services.

The meeting concluded at 10:35 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:49 a.m. to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, HR Generalist Jennifer Allen, Compensation and Benefits Manager Bosco Baldwin, COO Greg Rast, Facilities Director Rick Britton, Controller Zach Wagoner, and Deputy Clerk Jenen Ross.

Consider resolution appointing members to the Valley Regional Transit Board: This is a revised resolution to assign primary and alternate members. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to sign the resolution appointing members to the Valley Regional Transit Board (see resolution no. 23-029).

Consider a resolution changing the job title, job description and salary range of two (2) positions in the Maintenance Department: Director Britton provided explanation of the need for this change in order to be competitive in hiring a Journeyman HVAC technician. He also spoke about how this will benefit both his department and the county. Mr. Baldwin addressed how comparable wages were determined. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution changing the job title, job description and salary range of two (2) positions in the Maintenance Department (see resolution no. 23-028)

The meeting concluded at 10:58 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH SHERIFF'S OFFICE TO DISCUSS RECLASSIFICATION OF A POSITION

The Board met today at 3:30 p.m. with the Sheriff's Office to discuss the reclassification of a position. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Cpt. Chuck Gentry, COO Greg Rast, HR Director Kate Rice, HR Generalist Cindy Lorta and Deputy Clerk Jenen Ross.

Consider request to reclassify a position control number from a sergeant position to a captain position: A document providing details of this proposal was provided to the Board yesterday. Chief Hart provided an explanation for this reclassification and how he feels this change will be beneficial to the Sheriff's Office, the county and the taxpayers. The resolution will be effective upon Board approval and implementation will be coordinated between the Sheriff's Office and HR. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution reclassifying PCN 003 410 104 (see resolution no. 23-030).

The meeting concluded at 3:43 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 24, 2023

PRESENT: Commissioner Brad Holton, Chair
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Craft Lounge to be used 3/11/23; and 1918 Lounge to be used on 3/2/23.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- HC Company in the amount of \$14,300.23 for the Facilities department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Becky Siino, Customer Service Specialist – Records 41004; Candy Giambruno, Customer Service Specialist – Records 41004; Shawn Weigelt, Sergeant – Patrol 41006; Kevin Maniord, Deputy Sheriff – Courts and Transports 51002I; Julia Clark, Call Taker – Dispatch 41012.

TOUR OF JUVENILE DETENTION CENTER

The Board toured the Juvenile Detention Center this afternoon. There were no motions, action items or Board direction entertained or given.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 27, 2023

PRESENT: Commissioner Brad Holton, Chair - **Out of office**
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED CLAIMS

- The Board has approved claims 592533 to 592534 in the amount of \$652.13

TOUR OF JUVENILE PROBATION DEPARTMENT

The Board toured the Juvenile Probation Department this afternoon. There were no motions, action items or Board direction entertained or given.

FEBRUARY 2023 TERM

CALDWELL, IDAHO FEBRUARY 28, 2023

PRESENT: Commissioner Brad Holton, Chair – out of the office
 Commissioner Leslie Van Beek, Co-Vice Chair
 Commissioner Zach Brooks, Co-Vice Chair
 Deputy Clerks Monica Reeves/Jenen Ross

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Jenna Raino, P/T Interpretive Specialist; Ruby Wilkins, Imaging Specialist; Lora Strange, P/T Interpretive Specialist; Joshua Preminger, P/T Interpretive Specialist; Kathy Martinez, Clerk I; Julieann Holm, Clerk II.

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Craft Lounge to be used 8/16/23.

CONSIDER SIGNING AWARD RECOMMENDATION FOR REQUEST FOR QUALIFICATIONS FOR WAREHOUSE AND SHELTER PROJECT

The Board met today at 9:05 a.m. to consider signing award recommendation for the request for qualifications for the warehouse and shelter project. Present were: Commissioners Leslie Van Beek and Zach Brooks, Deputy P.A. Oscar Klaas, Facilities Director Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross. Director Britton explained there were two great proposals received both of which were equally qualified, however, Beniton Construction had a more descriptive approach which ended up being the deciding factor. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the award recommendation letter to Beniton Construction which will allow for negotiations to begin. A copy of the letter is file with this day's minutes. The meeting concluded at 9:10 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND 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 and Zach Brooks, Chief Deputy P.A. Sam Laugheed, Deputy P.A. Alex Klempel, Chief Deputy Sheriff Doug Hart (left at 9:34 a.m.), Sgt. Jason Roberts (left at 9:34 a.m.), Solid Waste Director Loper (left at 9:41 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

Consider Agreement with Idaho Department of Parks and Recreation – Boating Safety Grant: Sgt. Roberts explained that by accepting the grant the county commits to providing boater safety education and outreach programs – both of which have already been happening. Allocation of the funds may be used for salaries. Commissioner Brooks made a motion to sign and approve the agreement with Idaho Department of Parks and Recreation – Boating Safety Grant. The motion was seconded by Commissioner Van Beek and carried unanimously (see agreement no. 23-025).

Consider FY2023 Pickles Butte Sanitary Landfill Gas Collection System and Flare Station Component Electrical Installation Project Solicitation of Bids: Director Loper said that three contractors have seen the specifications of this project and are qualified to perform the work; the solicitation will be sent directly to those three contractors. Additionally, explanation was provided as to why this portion was split out from the larger project noting there are some long lead-time items that need to be ordered and the process needs to be started ahead of other portions of the project. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted

unanimously to sign the FY2023 Pickles Butte Sanitary Landfill Gas Collection System and Flare Station Component Electrical Installation Project Solicitation of Bids.

Commissioner Van Beek asked about a request she received from the Caldwell Gun Club to use the Pond Ln. property for parking during two events in early June. Mr. Laugheed said his only concern would be with insurance but noted that there could be an agreement between the county and the gun club to formalize use of the property. Additionally, Director Britton will be asked to evaluate the property to make sure no damage would occur by allowing parking and an insurance binder will be requested from the gun club.

The meeting concluded at 9:44 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER SITE IMPROVEMENT EXEMPTION APPLICATIONS FOR HERON RIDGE NO. 2 AND BRITTANY HEIGHTS NO. 3

The Board met today at 1:36 p.m. to consider site improvement exemption applications for Heron Ridge No. 2 and Brittany Heights No. 3. Present were: Commissioners Leslie Van Beek and Zach Brooks, Assessor Brian Stender, COO Greg Rast, and Deputy Clerk Monica Reeves. Assessor Stender explained that Idaho Code Section 63-602W(4) allows for the exemption which came about during the economic downturn and allowed developers, who didn't have to relinquish their lots to the bank or sell them for cheap and who put in the subdivision infrastructure, to qualify for an exemption. Applicants provide documentation showing the costs they have spent on infrastructure and they are able to qualify for a 75% exemption on the lot. Assessor Stender believes both Heron Ridge No. 2 and Brittany Heights No. 3 qualify for the exemption. Once the lots are built on and the house is sold the developer will lose the site improvement exemption. He anticipates there will be more applications filed in the coming months. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the site improvement exemption applications for Heron Ridge No. 2 and Brittany Heights No. 3. The meeting concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2023 TERM
CALDWELL, IDAHO MARCH 1, 2023

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.

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

The Board met today at 1:31 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, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, Code Enforcement Supervisor Eric Arthur, Code Enforcement Officer Gary Westerfield, Keri Smith and Deputy Clerk Jenen Ross.

Today's meeting is focused on code enforcement and a handout was provided and reviewed with the Board. A copy of the presentation is on file with this day's minutes.

Topics included:

- Mission statement and department structure
- What the department does (process)
- Explanation of certificates of noncompliance
- Explanation of infractions and misdemeanor citations
- Explanation of abatement
- Case numbers
- Photos of successes
- Challenges - *Commissioner Van Beek noted she is in favor of adding a line for abatement in the next fiscal year budget.*
- On the horizon items
 - Voluntary compliance
 - Propose an ordinance amendment
 - Cooperation
 - Abatement fund
- Staffing needs to cover the span of the county
- BOCC considerations

Discussion ensued regarding the fee schedule and penalty implementation as well as staffing needs.

The meeting concluded at 2:46 p.m. 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 \$50,329.80 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.

MARCH 2023 TERM

CALDWELL, IDAHO MARCH 7, 2023

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 for the Facilities Department

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 3rd 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.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Staats in the amount of \$4872.13 for the Fair

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 2nd. 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 1st 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 3rd 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 Laughheed 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

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.

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 Idaho Liquor Catering Permits for Craft Lounge to be used 5/6/23, 7/21/23, 9/23/23, 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 15th 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 a 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 rely 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.

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 31st 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, therefor, 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 20th. 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

No meetings were held this day.

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 Crosby, 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 15th. 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 22nd 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/cabling & electrical fixtures (Aux. bldg)
- Wood doors Low voltage systems conduit/cabling & 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 agendaized 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 contractions 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.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 3, 2023

APPROVED CLAIMS

- The Board has approved claim 593253 in the amount of \$270,624.49
- The Board has approved claims 593437 to 593476 in the amount of \$25,624.84
- The Board has approved claims 593477 to 593487 in the amount of \$24,452.00

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 4, 2023

APPROVED CLAIMS

- The Board has approved claims 593397 to 593436 in the amount of \$76,396.77
- The Board has approved claims 593488 to 593526 in the amount of \$85,300.15
- The Board has approved claim 593527 in the amount of \$19,349.58
- The Board has approved claims 593528 to 593574 in the amount of \$83,180.52
- The Board has approved claims 593575 to 593620 in the amount of \$73,737.57

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Bob Barker in the amount of \$12,614.80 for the Sheriff's Office

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for William Hopkins, Deputy Sheriff – Inmate Control 51003; and Tyler Van Warmerdam – Data Modeler.

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

The Board met today, April 4, 2023, at 9:31 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Solid Waste Director David Loper, Facilities Director Rick Britton (left at 9:37 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Signing Notification of Lowest Bid Acceptance for FY2023 Pickles Butte Sanitary Landfill Gas Collection System and Flare Station Component Electrical Installation Project: Only one bid was received on this project from Southern Idaho Electric in the amount of \$78,650. The bid met the project criteria and it is recommended to move forward. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the notification of lowest bid acceptance for the FY2023 Pickles Butte Sanitary Landfill Gas Collection System and Flare Station Component Electrical Installation project.

Consider Signing Addendum No. 1 to FY23 Canyon County Preliminary Design Services Roster Solicitation of Interest: No questions were received for this project so there is nothing to amend. Once signed the addendum will be added to the other project documents on the county webpage. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign addendum no. 1 to FY23 Canyon County Preliminary Design Services Roster Solicitation of Interest.

Consider Signing Legal Notice of Entering into Personal Services Contract with Nielson McCrea Law, PLLC and Andrew Jenkins: These are contracts for the Public Defender's office that were recently signed and require legal notice due to the potential of exceeding of \$10,000 in payments during the year. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the legal notice of entering into personal services contract with Nielson McCrea Law, PLLC and Andrew Jenkins.

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

EXECUTIVE SESSION – PERSONNEL MATTERS, ACQUISITION OF AN INTEREST IN REAL PROPERTY, 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 9:39 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. She amended the motion to include section (c) regarding acquisition of an interest in real property. The motion was seconded by Commissioner Holton. 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. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, COO Greg Rast and Solid Waste Director David Loper. The Executive Session concluded at 10:22 a.m. with no decision being called for in open session.

An audio recording of the open portion of the meeting is on file with this day's minutes.

MEETING WITH DEQ REGARDING ANDERSON CORNER

The Board met today at 10:40 a.m. for a meeting to discuss the Anderson corner property. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, COO Greg Rast, and Deputy Clerk Monica Reeves. Eric Traynor from DEQ had confirmed his attendance for today's 10:30 a.m. meeting; however, he was not present and staff was unable to reach him. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to continue the meeting to another date when the DEQ representative could be in attendance. The meeting concluded at 10:42 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER APRIL 4, 2023 ACTION ITEMS

The Board met today at 11:15 a.m. to consider the April 4, 2023 action items that were scheduled for 11:15 a.m. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, DSD Planner III Michelle Barron, DSD Planner I Samantha Hammond, COO Greg Rast, Kent Morgan, and Deputy Clerk Monica Reeves. The items were reviewed as follows:

- **Development Agreement and Ordinance for Case No. RZ2021-0048** - The FCO's for this case were approved on February 7, 2023. (Agreement No. 23-000 and Ordinance No. 23-001)
- **Final Plat for Cooper Subdivision Case No. SD2021-0060** - The plat contains the necessary signatures, and all conditions have been met.
- **Consider a resolution to issue a refund of a conditional permit modification fee to Seth Simpson in the amount of \$412.50 (Resolution No. 23-042)**
- **Consider a resolution to issue a refund of a conditional rezone fee to Shilo Hixon in the amount of \$1,260.00 (Resolution No. 23-043)**
- **Consider a resolution to issue a refund of a comprehensive plan map amendment and rezone fee to Todd & Denise Steele in the amount of \$2,010.00 (Resolution No. 23-044)**

Following review and discussion, Commissioner Van Beek made a motion to approve the development agreement, ordinance for Case No. RZ2021-0048, and the final plat for Cooper Subdivision, Case No. SD2021-0060, and to issue refunds to Seth Simpson, Todd and Denise Steel, and Shilo Hixon as presented by DSD staff. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 11:24 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 5, 2023

APPROVED CLAIMS

- The Board has approved claims 593621 to 593680 in the amount of \$297,674.42

APPROVED PAYROLL APRIL 7, 2023

The Board approved the April 7, 2023 payroll in the amount of \$2,292,841.77

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Sunbelt Controls in the amount of \$2950.00 for the Facilities department
- Sunbelt Controls in the amount of \$13,700.00 for the Facilities department

- Avolve Software Corp. in the amount of \$3004.54 for the Development Services department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Hayden Stauffer, Corporal – Inmate Control 51003; Zachary Koreis, Corporal – Courts and Transports 51002; Brandi Long, Interim Elections Operations Supervisor; Eric Toms, Deputy Judicial Marshal.

MEETING TO CONSIDER A CASUALTY LOSS APPLICATION FOR BRIAN & MICHAEL LAIRD TRUST

The Board met today, April 5, 2023 at 10:00 a.m. to consider a casualty loss application for Brian & Michael Laird Trust. 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 a fire occurred on July 28, 2022 and due to that event happening after the 4th Monday in June this is now considered a tax cancellation. The cancelled amount based on the adjusted value of \$144,000 is \$1086.84. The Assessor's Office has adjusted the 2023 taxes. Commissioner Brooks made a motion to sign the casualty tax cancellation for Brian & Michael Laird Trust. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 10:03 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING FOR A STATUS UPDATE REGARDING THE BOARD OF COMMUNITY GUARDIANS

The Board met today at 10:32 a.m. for a status update regarding the Board of Community Guardians. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross.

Clerk Yamamoto gave a brief update on the program since the county has been involved stating that they believe all the bills appear to be paid although there is still an access issue with US Bank they are working to get resolved. The majority of the BoCG members are well over retirement age and although the county has put out the need for volunteers they have yet to recruit anyone and have actually received several resignations. Currently there are 38 wards, 8 of which are unassigned; since January they've had to deny 9 referrals for various reasons. The Clerk spoke about how there needs to be a focused effort in getting the Board members organized as they currently refuse to elect officers. Clerk Yamamoto feels there are three options of what needs to be done with the BoCG, the options would be to forego the program which could only happen thru a court order, continue the program as-is although he doesn't feel that is a sustainable plan or a version of the Ada County program which would require the hiring of a fulltime employee to work as a guardian to the wards, however that would not replace the need for volunteers. He feels that with the addition of a fulltime paid guardian the county would be able to provide more service than is currently being provided. With salary and benefits the position would cost approximately

\$60,000 which could come from the Clerk/Auditor budget and be incorporated into the 2023 budget. Commissioner Van Beek would like more information on the resolution that created the BoCG, she is not in favor of tasking HR with creating a job description and she would like to use the next 5 months [until the new fiscal year] to do more research as there are a number of things she needs answers to. Commissioner Brooks stated he is in favor of creating the job description and in the meantime can do additional research. Commissioner Holton feels this issue needs to be fixed; the county is now involved and needs to keep moving forward, there isn't another option. He is concerned about the liability of continuing to wait without finding a solution. Clerk Yamamoto and Ms. Baker stressed the importance of getting a functional Board in place as the current Board is reluctant to make decisions in regard to the wards. Currently they bylaws state that a Clerk employee cannot sit on the Board, a brief discussion ensued as to whether those bylaws can be amended. Ms. George suggested that there is a former indigent employee who may like to come back to the department which could possibly allow her to move into a newly created guardian position.

Following the discussion, the Board is supportive of developing a position and exploring all options that have been presented to meet the need in Canyon County. They would also like to see a text amendment taken back to the 2024 legislative session. The Clerk's Office will work with HR on creating a job description and salary range for Board consideration at a future meeting.

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

PUBLIC HEARING - REQUEST BY STACY WOODRUFF FOR A CONDITIONAL REZONE OF 3.89 ACRES FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-R-1" (CONDITIONAL REZONE - SINGLE-FAMILY RESIDENTIAL) ZONE, CASE NO. CR2022-0026

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Stacy Woodruff for a conditional rezone of 3.89 acres from an "A" (Agricultural) zone to a "CR-R-1" (Conditional Rezone - Single Family Residential) Zone, Case No. CR2022-0026. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planner I Samantha Hammond, DSD Planner III Michelle Barron, Stacy Woodruff, other interested persons, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that she is familiar with the area, but it will not impact her decision in this case. DSD Planner Samantha Hammond gave the oral staff report. Stacy Woodruff is requesting a conditional rezone of parcel R38194010, approximately 3.98 acres, from an "A" (Agricultural) zone to a CR-R-1 (Conditional Rezone - Single-Family Residential) zone with the intent to split the lot into three residential lots. The subject property is located at 24822 Harvey Road in Caldwell, Idaho. The applicant has provided a three-lot concept plan, and if approved it will allow the applicant to further divide their land administratively, subject to a development agreement and it will have an average lot size of 1.33

acres. The applicant will need to apply for an administrative land division, a private road and an easement reduction. The subject property was administratively split from the southern parcel. The P&Z Commission recommended approval of the request. Following her report, Ms. Hammond responded to questions from the Board. There was discussion regarding staff's written report and the average lot size as well as agency responses. Stacy Woodruff testified in support of his request. They purchased the property with the intent to split the property so his daughters and their husbands can build on two of the parcels. He is working with Black Canyon Irrigation District and has received mixed messages from them regarding the canal. He was told the canal is too flat to pipe, but after further discussions they now have an engineer involved to see if they need to pipe the canal. He said groundwater recharge was not considered; it was about getting from point A to Point Z. He prefers not to pipe the canal because it's cost prohibitive and could stop the project. He has worked with highway district on the 40-foot easement. Mr. Woodruff said he has 30 years' experience in the seed business and he said the property can grow grass, but little else. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Director Minshall responded to questions from the Board about revisions to the FCO's regarding agency responses, specifically the response from DEQ regarding the amount of lots, location and size, and that we are not requiring services be provided through individual wells and septic. There was discussion regarding the tiling of ditches and that the current FCO's state the applicant will have to meet the conditions of the irrigation districts. Commissioner Brooks had questions regarding the response from Black Canyon Irrigation District. Mr. Woodruff stated he does not have surface water rights, but he has ground water rights through an irrigation pump. He has no affiliation with nor does he need the water from Black Canyon. It comes through his property and he's been asked to tile 650 feet of pipe with 3 ½ foot in diameter pipe to get it through his property and deliver it to the other end. It will be a significant cost for him to do that (with no access to the water rights) and he may not be able to develop the property because of it. Commissioner Brooks does not understand why the BOCC would require that of the landowner. Director Minshall said the County's conditions do not require him to tile it, but a standard condition says the applicant has to meet the conditions of the irrigation district. Further discussion ensued. Commissioner Van Beek is not in favor of tiling the ditch. Planner Hammond said the condition was requested by a P&Z Commissioner. Condition No. 3 would justify that the applicant needs to work with the irrigation district and any modifications they have would be in writing. Commissioners Van Beek and Holton are in favor of removing Condition No. 2c. There was discussion about having compliance with jurisdictions. The Catch-22 is by saying the landowner has to work with irrigation district we are saying we have now relegated we have to live with whatever they come up with. Commissioner Van Beek said that requirement is not reasonable for the application on a 3.98-acre parcel. Director Minshall is happy to have conversations with the applicant and Black Canyon Irrigation District and say the BOCC is concerned that we are requiring improvements that either need to be on the district's dime or

they are concerned about generation. The Board decided to remove Condition No. 2c, and modify language in the FCO's to state a community system is not required. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve Case No. CR2022-0026, a conditional rezone of Parcel R38194010 with the recommended changes as discussed during deliberation. The signed FCO's, ordinance and development agreement are on file with this day's minute entry. (Ordinance No. 23-002 and Agreement No. 23-043.) The hearing concluded at 2:26 p.m. An audio recording is on file in the Commissioners' Office.

PRESENTATION BY SHERIFF'S OFFICE OF A PROPOSAL FOR THE EMERGENCY MANAGEMENT PROGRAM

The Board met today at 3:34 p.m. to hear a presentation by the Sheriff's Office for a proposal for the emergency management program. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Emergency Manager Christine Wendelsdorf, Captain Ray Talbot, Eugene Smith, and Deputy Clerk Monica Reeves. Sheriff Donahue spoke of the history and background of the emergency management program and said it has been lacking from an emergency management standpoint for a County of this size and his office is looking at how to do better and how it can become the flagship. He introduced Eugene Smith, who is a former command officer with the Boise Police Department and who is revered across the nation as one of the leading experts in emergency management. Sheriff Donahue wants Mr. Smith to help build Canyon County's emergency management program in dealing with the federal government, FEMA, and local and state partners. It's not as simple as having an emergency management coordinator, they need an expert to take us to the next step. Christine Wendelsdorf spoke about the various programs she evaluated and how Mr. Smith assisted the County during the COVID pandemic through his role at Southwest District Health. She looked at the model from Jefferson County, Colorado, which formed an emergency management program after the Columbine shooting. Mr. Smith gave a PowerPoint presentation on the Canyon County Emergency Management Incident Management Team Strategy, a copy of which is on file with this day's minute entry. Highlights were as follows:

2022 Emergency Management Program Grant (EMPG) Requirements

- If your organization receives EMPG grants the federal government expects you to have a deployable resource.
- If you want to keep receiving funding after 2024 you have to be deployable

EMPG Personnel Only

- Identify EMPG funded deployable personnel for Canyon County

- What if there is only one or two individuals that fall under this standard?
- If an individual is EMPG funded in a part-time status, do they deploy part-time as well?
- Are these individuals allowed to choose their deployable position?
- How does turnover or attrition in these specific positions affect grant compliance?
- What if these individuals are unable to deploy?

Incident Management Teams

- Purpose-skilled and trained personnel from multi-disciplinary backgrounds join together to efficiently and economically prepare for and manage planned events or unplanned incidents.
- Deployable personnel- May work with or on IMT based on training and experience.
- NIMS- Provides the common language and expectations of first response agencies for incidents across the nation.
- Emergency Management Agencies/Personnel receive EMPG Grants

Canyon County Incident Management Teams (IMT)

- Identify personnel from County willing to be part of this team regardless of funding source.
- Canyon County sees value in establishing a community-based IMT with local knowledge:
 - Does this create autonomy for county regarding how and when the team is used?
 - Can we fill all positions of an IMT from the various county departments with the specialization and expertise necessary?
 - What is the best way for the county to recruit and sustain this initiative internally (collation of the willing, MOA, leadership mandate)?

Large incidents

Daily operations/special events

IMT Development Qualifications and Oversight

Develop formal governance documents

- Mission Statement
- By-Laws and SOPs

Who is “grandfathered” in to establish the initial team?

- Authorities

- Expertise
- Experience

What sectors need to be represented?

Mechanics

- Establish Qualification Review Board
- Identify baseline requirements
 - Training, exercises, real-world experience, education
- Adopt Position Taskbooks
 - Format, signing authorities, how long in-between starting the process to completion
- Coaching/Mentoring program
- Requalification

Best Practices

Local/County/Regional/State/National
 Gulf Coast/Intermountain West
 Jefferson County, Colorado

Next Steps

- Commit to a Course of Action
- Appoint a project “champion” and team members to assist with project
- Socialize concept, obtain buy-in
- Gather feedback to identify knowns/unknowns

Next Meeting: Goals, Objectives, Milestones

A roundtable discussion ensued regarding the County’s emergency preparedness. It will be expensive to manage, coordinate, train for this but there will be no cost to the County as the money will come from the homeland security grant program. It will take two years to complete. The Sheriff’s Office wants to hire Eugene Smith’s firm to build the program. The next step, if the Board approves, is for Sheriff Donahue to meet with the PA’s Office to prepare a resolution for the Board’s consideration. Chairman Holton said the Board is in agreement that it wants to proceed. The meeting concluded at 4:25 p.m. An audio recording is on file in the Commissioners’ Office.

APPROVED CLAIMS

- The Board has approved the March jury claim in the amount of \$5,678.28
- The Board has approved claims 593714 to 593749 in the amount of \$137,550.80

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

The Board met today, April 6, 2023 at 9:32 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Solid Waste Director David Loper (left at 9:42 a.m.), COO Greg Rast, Representative for SRC (left at 9:42 a.m.) and Deputy Clerk Jenen Ross. The action item was considered as follows:

Opening of Bids for the Installation of Gas Collection System and Flare Station Components Project at the Pickles Butte Landfill:

The following three (3) bids were received for this project:

- SCS Field Services
Received April 5, 2023 at 10:51 a.m.
\$2,614,806.00
- Blue Flame Crew, LLC
Received April 6, 2023 at 8:24 a.m.
\$2,773,656.00
- Syblon Reid – SRC Contractors
Received April 6, 2023 at 9:21 a.m.
\$1,819,425.00

Bids will be forwarded to Director Loper and legal to review for compliance with the IFB and a recommendation will be made to the Board at a later date. Director Loper addressed several of Commissioner Van Beek's questions regarding the project and bid process. Commissioner Holton made a motion to submit this to legal and engineering to review the proposed bids, determine the lowest qualified bidder and return to the Board for further action. The motion was seconded by Commissioner Van Beek and carried unanimously.

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 9:43 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 Holton. 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel and COO Greg Rast. The Executive Session concluded at 9:58 a.m. with no decision being called for in open session.

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

PRESENTATION BY THE PROSECUTING ATTORNEY'S OFFICE

The Board met today, April 6, 2023 at 10:30 a.m. for a presentation by the Prosecuting Attorney's Office. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Prosecutor Bryan Taylor, Chief Civil Deputy P.A. Carl Ericson, Chief Criminal Deputy P.A. Doug Robertson, P.A. Office Manager Melinda Longoria, COO Greg Rast and Deputy Clerk Jenen Ross. A PowerPoint presentation was provided to the Board and the following topics were reviewed and discussed:

- Constitutional role of the Prosecuting Attorney
- Elected Offices of county government
- Duties prescribed by law (Idaho Code Title 31, Chapter 26)
- Two roles of the Prosecutor – Civil and Criminal
- Overview of roles and responsibilities of the Civil division
- Overview of roles and responsibilities of the Criminal division
- Graphs depicting the number of felonies, misdemeanors, homicides and VWC combined case actions for the years 2017-2022 handled by the PA's Office
- In regard to a graph indicating the number of public records requests the PA's Office works on, Commissioner Holton would like to see there be a charge associated with in-depth requests. This could possibly be a good conversation to have amongst all the elected officials on the best way for it to be addressed.
- Comparison of prosecutor to public defenders
- Life of a criminal case

- Average caseload PA Deputy – American Bar Association recommendation is 150 felony, 400 misdemeanor
- The Board is requesting help from the PA’s Office in understanding the “big picture” and how best to convey that to the public when constituents reach out
- Review of ABA Standard 3, 1.8
- Case number comparison between PA and PD from 2017-2022

Discussion ensued regarding the Board’s request for documentation and data supporting the need for additional personnel and the possibility of a dedicated attorney for just the Board and Board departments.

The meeting concluded at 11:46 a.m. and an audio recording is on file in the Commissioners’ Office.

MEETING WITH THE PLANNING OFFICIAL TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

The Board met today at 2:33 p.m. with Planning Official Dan Lister to discuss general issues, set policy, and give direction. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planning Official Dan Lister, DSD Office Manager Jennifer Almeida, DSD Planner III Michelle Barron, DSD Planner III Debbie Root, Matt Wilke, April Wilke, Alan Mills, Keri Smith, and Deputy Clerk Monica Reeves. Mr. Lister gave a PowerPoint presentation, a copy of which is on file with this day’s minute entry. Today’s meeting is a continuation of the last workshop where DSD provided the Board with homework to look at a few chapters to see how they are feeling about the Goals, Policies, and Actions (GPA’s), and to see the collective support or concern for each one. The scale categories are as follows:

- *Remove*
- *Concerns*
- *Unsure/Need Information*
- *Support/Minor Revisions*
- *Keep*

The idea is to find the tradeoffs where we need more dialogue, or if we need to do a deep dive and determine where the work needs to be prioritized and to find general alignment, places for Board discussion, or deeper dives. It is conceptual at this point. Staff provided a spreadsheet based on the results of the chapters as follows:

Chapter 1: Private Property Rights

The result of this chapter was “Keep”. The majority was to keep it but with notes of clarification and cleanup and that would be something we would want to do as we start building the new

comprehensive plan. In referring to the spreadsheet he provided to the Board, Mr. Lister said he added why we have to look at it, and said he will start adding that to all the homework just to give a general sense of why we do this and why we are required to talk about it in the plan. Based on the survey this is not a chapter that requires a deep dive or an extensive workshop.

Chapter 2: Population

The result of this chapter was “Supported with minor revisions”. There is a lot of clarification and cleanup that can be addressed later. Most of it deals with what the County’s role is, as well as other questions. Based on the survey this is not a chapter that requires a deep dive or a significant analysis. State law requires us to avoid undue concentration of population and overcrowding of land, and that the plan addresses and does an analysis of past, present and future trends in population including any characteristics as total population, age, sex, and income. Staff does not believe this is an urgent chapter to do a deep dive on, we can come back to it later.

Chapter 3: Economic Development

The result of this chapter was “Unsure/Need more information.” He provided a summary of some of the concerns, a lot of it had to do with trying to get an understanding of what these have to do, why this is here and if it belongs in the chapter, as well as questions about ag-tourism, the definition, and what role the County plays. This chapter needs more dialogue and more discussion. The purpose of is to promote health, safety, and general welfare of the people of Idaho and to ensure the economy of the state and localities is protected. As part of the plan it should be provide an analysis of the economic base of the area including employment, industries, economies, jobs and income levels. In late June the County will do a deep dive on this topic after meeting with the City of Caldwell and the City of Middleton to see what they are saying about their urban renewal areas and their economic development needs. Commissioner Van Beek referenced a soon-to-be-scheduled meeting with Senator Crapo’s office regarding collaborating with the County.

Mr. Lister wrapped up his presentation by saying DSD is trying to find the areas to be prioritized and find alignment on where we need to have more discussion and deep dives as it will help come up with the scope to help determine the type of staffing they will need based on that scope. He handed out the Board’s next homework assignment for the next two chapters with a due date of Tuesday, April 11, 2023 at 12:00 noon. No Board action was required or taken.

The meeting concluded at 2:45 p.m. An audio recording is on file in the Commissioners’ Office.

CANYON COUNTY COMPENSATION PROGRAM STATUS UPDATE

The Board met today at 3:33 p.m. for a status update on the Canyon County Compensation Program Status Update. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Compensation/Benefits Manager Bosco Baldwin, HR Director Kate Rice, HR Generalist

Jennifer Allen, HR Generalist Cindy Lorta, HR Investigator Rich Soto, Controller Zach Wagoner, Assessor Brian Stender, Juvenile Probation Director Elda Catalano, COO Greg Rast, DSD Director Sabrina Minshall, and Deputy Clerk Monica Reeves. The HR Office has been tasked with a comprehensive overview and update of the entire package, and today's presentation is the first step in their recommendation to an update to the compensation program. Highlights from the PowerPoint were as follows:

Canyon County Compensation Proposal

- Background
- Process Utilized
- Solution
- Benefits of this Proposed Solution
- Next Steps

Background

Our existing pay program literally has a unique pay range for every single non-elected position within the county. It is based off of a 25-year scale wherein an employee hits the mid-point within 5 years. Historically has allowed for inconsistent pay practices.

The Process

Human Resources performed a market analysis to include most of the public sector employers within the Treasure Valley. The organizations which we collected data include: Ada County, City of Nampa, City of Caldwell, City of Meridian, City of Boise as well as Kootenai County (due to its similar size to Canyon County).

Additionally, we utilized a subscription to Salary.com (the leading provider of compensation market data, software, and analytics). A significant weighting was applied to the Ada County comparison due to their proximity and job class similarities.

Job Evaluations

We also performed an internal job evaluation to measure, compare and categorize job information so that each job can be placed in the appropriate structure for salary administrative purposes. The job evaluation included a comparison of knowledge and skill, problem solving and decision making, scope and complexity, as well as impact and accountability of the role.

Compensation Philosophy

Canyon County strives to be an employer of choice within the Treasure Valley. As part of our strategy to achieve this goal, we are committed to providing a total compensation program which rewards all of our employees with a competitive wage and a generous benefits package.

In doing so, we seek to motivate employee performance, attract and retain exceptional talent, as well as enhance morale.

Ultimately, we believe our total compensation offering will drive superior customer experience to the residents of Canyon County.

Proposed Wage Ranges



Proposed Wage Ranges

Grade	Min	Mid	Max	Diff Min to Mid	Diff Mid to Max	Diff Min to Max	Min as Salary	Mid as Salary	Max as salary
A	\$18.00	\$21.42	\$24.84	19.00%	15.97%	38.00%	\$37,440.00	\$44,553.60	\$51,667.20
B	\$21.00	\$24.99	\$28.98	19.00%	15.97%	38.00%	\$43,680.00	\$51,979.20	\$60,278.40
C	\$24.50	\$29.16	\$33.81	19.00%	15.97%	38.00%	\$50,960.00	\$60,642.40	\$70,324.80
D	\$29.00	\$34.51	\$40.02	19.00%	15.97%	38.00%	\$60,320.00	\$71,780.80	\$83,241.60
E	\$34.00	\$40.46	\$46.92	19.00%	15.97%	38.00%	\$70,720.00	\$84,156.80	\$97,593.60
F	\$40.00	\$47.60	\$55.20	19.00%	15.97%	38.00%	\$83,200.00	\$99,008.00	\$114,816.00
G	\$47.00	\$55.93	\$64.86	19.00%	15.97%	38.00%	\$97,760.00	\$116,334.40	\$134,908.80
H	\$55.50	\$66.05	\$76.59	19.00%	15.97%	38.00%	\$115,440.00	\$137,373.60	\$159,307.20
I	\$66.00	\$78.54	\$91.08	19.00%	15.97%	38.00%	\$137,280.00	\$163,363.20	\$189,446.40

Benefits to Implementing this Structure Include:

- Reduce the current number of wage grades from 240+ to 9
- Allow us to introduce/utilize compa-ratios within our payroll system
- Provide a defined structure to our employees. This will define paths for future advancement, etc.
- Easier to manage and identify issues such as pay equity
- Creates predictability which in turn allows for an easier budgeting process

Next Steps

- If the Board approves the move to the proposed wage grades, HR will work with Payroll to add these changes into the payroll system
- Communicate the new program to Elected Officials and Department Administrators
- Review/identify internal equity/alignment issues

- Identify individuals whom are significantly outside the current market rate for their role
 - Gender based pay analysis
- Further define our compensation philosophy
 - Link/define pay for performance
 - New hire wage calculation
 - Evaluate and recommend market COLA adjustments
- Follow employee retention figures to measure impact over time
- Update program as needed

Final Thoughts

A roundtable discussion followed on the following topics:

- Wage ranges. It will be a challenging budget year for the Board managing growth in the county, and the number of requested positions so we have to look at what's happened over the last five years with the increases in wages and dedication of resources to that. Remember the taxpayers.
- This proposal has an impact of zero dollars. We are not giving wage increases, we are slotting like positions into the proposed wage ranges. It's a management tool that is compressing 240+ grades into 9 grades.
- Differentiate between COLA and salary increase; the COLA does adjust the grade.
- Next step is to update some job descriptions.
 - COO Rast wants to see what job descriptions are in which grade and see who's getting paid outside of a grade. Commissioner Van Beek suggested a mediated discussion to see where it's lining up.
- HR doesn't foresee many problems coming from this; we are not reducing anyone's pay.
- Lead pay/specialty pay
- Controller Wagoner supports getting away from 240+ pay grades. We need to know what positions are Grade A, Grade b, etc., and it's imperative to involve the elected officials and department administrators and get the information out as soon as possible. He had questions about progression between mid, min and max - how do you determine where somebody's at today and then how do they step forward if they remain in that position looking forward. Mr. Baldwin said where they end up in the grade is right where they are today; will have a compa-ratio to identify where they are in that list. He gave an example of breaking it into two percentage points per year; i.e., we could bring somebody in with that additional two years, we would give them 4% above min and that's where that person would start.
- HR Director Rice said they are looking to beef up the performance reviews and employee performance program and management and with a merit increase it would be based on documented performance contributions. Setting realistic goals, making contributions,

achieving goals, and being rewarded for performance instead of attendance. It can be overlapped and in addition to a COLA, instead of a COLA, etc. We can do a combination in a hybrid partial wage adjustment and partial reward for performance, which is how the private sector does it.

- This is not a stairstep program, it's a wage grade as opposed to stairstep. There is potential to have people outpacing others in the same position, and we will have to document the reason why and it will be based on annual reviews. We have to conceptually identify what are the merit increases going to be over the next number of years. We haven't done the type of training the supervisory staff and employees deserve for a fully merit-based compensation program to be able to set goals and move it forward and have a merit increase based on their individual contributions. This fiscal year it would not be feasible to bring everyone up to speed with the knowledge needed and then create those goals and performance reviews and the coaching. We would want performance reviews done in May/June so that it could be tied into the budgeting process so that at the start of the fiscal year the employee would know what their salary merit increase or performance increase might be.
- A COLA would move the range. An employee would be eligible to get the increase unless their performance is out of alignment. We could work that into our program where there would be no salary increase based on a discipline situation.

The Board is good for the next step with the compensation program to happen, but it needs to be identified as draft. The meeting concluded at 4:37 .m. An audio recording is on file in the Commissioners' Office.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 7, 2023

APPROVED CLAIMS

- The Board approved claims 593681 to 593713 in the amount of \$25,897.50

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Jordan Hammond, Sergeant - Inmate Control 51003; Bryce Moore, Sergeant - Training 41002; Timothy Gibson, Corporal - Security Serv Admin 51001; Chad Harrold, Lieutenant - Sheriff's Admin 41001; and Rick Fisher, Program Analyst II.

APRIL 2023 TERM
CALDWELL, IDAHO APRIL 10, 2023

There were no meetings held today.

APRIL 2023 TERM
CALDWELL, IDAHO APRIL 11, 2023

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Collin Black, part-time Weed and Gopher Control Tech.

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

The Board met today, April 11, 2023 at 9:34 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Elections Supervisor Haley Hicks (left at 9:43 a.m.), Interim Elections Supervisor Brandi Long (left at 9:43 a.m.), DSD Director Sabrina Minshall, Facilities Director Rick Britton (left at 9:41 a.m.), Chief PD Aaron Bazzoli, COO Greg Rast, Marc Rietema with Syblon Reid (left at 9:43 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Notice of Intent to Award Contract for the Installation of Gas Collection System and Flare Station Components Project at the Pickles Butte Landfill: This item will be postponed to April 18, 2023 in order for Director Loper and Mr. Wesley to continue reviewing the bids for compliance based on a letter received from Syblon Reid. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to postpone to April 18, 2023 along with the subsequent dates related to this project.

Open Statements of Interest for FY23 Canyon County Preliminary Design Services Roster Solicitation of Interest:

The following companies submitted statements of interest:

- Breckon Land Design
Received April 7, 2023 at 2:00 p.m.
- RBA Architects
Received April 6, 2023 at 1:35 p.m.
- Architecture Northwest

Received March 31, 2023 at 10:25 a.m.

- Cushing Terrell
Received April 11, 2023 at 8:25 a.m.
- Atlas Technical Consultants
Received April 11, 2023 at 8:36 a.m.
- Urban Innovation Office
Received April 11, 2023 at 8:45 a.m.
- CSHQA
Received April 11, 2023 at 8:51 a.m.
- Lombard Conrad Architects
Received April 11, 2023 at 8:59 a.m.

Each submission will be forwarded to Director Britton and legal for review.

Consider Resolution Waiving Certain Landfill Fees for Canyon County Residents for One Day Only on Saturday, April 22, 2023: This is an annual resolution to coincide with Earth Day. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution waiving certain landfill fees for Canyon County Residents for one day only on Saturday, April 22, 2023 (see resolution no. 23-045).

Consider Signing a Resolution Designating Polling Locations for the May 16, 2023 Election: Two new locations will be used for this election and they continue efforts to find new locations. There are 3 precincts that will be moved to mail-in ballots due to the number of voters in those precincts; Ms. Long also noted that if voters in those precincts would like to vote in-person they are welcome to do so at the elections' office. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution designating polling locations for the May 16, 2023 election (see resolution no. 23-046).

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 9:44 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 Holton. A vote was taken on the motion with Commissioners Van Beek and Holton voting in favor of the motion to enter into Executive Session.

The motion carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, DSD Director Sabrina Minshall, Chief P.D. Aaron Bazzoli and COO Greg Rast. 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 AND ASSOCIATED ACTION ITEMS

The Board met today, April 11, 2023 at 10:34 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Brad Holton, Case Manager Kellie George, DSD Staff Sabrina Minshall, Pam Dilbeck, CE Officer Gary Westerfield, CE Supervisor Eric Arthur, COO Greg Rast and Deputy Clerk Jenen Ross.

Ms. George presented the following cases to the Board for consideration:

Case no. 2013-241 has been paid in full and indigent services is requesting the Board sign the release of lien. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the release of lien for case no. 2013-241.

Case no. 2012-1028 has been paid in full and indigent services is requesting the Board sign the release of lien. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the release of lien for case no. 2012-1028.

The meeting concluded at 10:37 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH CODE ENFORCEMENT TO DISCUSS AND CONSIDER ACTION ITEMS

The Board met today, April 11, 2023 at 10:37 a.m. with Code Enforcement to discuss and consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Code Enforcement Supervisor Eric Arthur, Code Enforcement Officer Gary Westerfield, DSD Director Sabrina Minshall, Sr. Administrative Specialist Pam Dilbeck, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider certificates of non-compliance for the following properties:

- 15076 & 15046 5th Street and 15045 4th Street, Caldwell
- 15347 Willis Rd, Caldwell

- 41 N. Happy Valley, Nampa
- 23811 Homedale, Wilder
- 18774 11th, Nampa
- 22504, 22558 and 0 Eel Ln, Middleton

Mr. Arthur and Mr. Westerfield provided a review of each property. Commissioner Van Beek made a motion to sign the certificates of non-compliance as listed and reviewed by Code Enforcement staff. The motion was seconded by Commissioner Holton and carried unanimously. Copies of each of the recorded certificates of non-compliance are on file with this day's minutes.

Consider release of lien for 11488 Flamingo Ave W: The abatement charges have been paid and the lien can now be removed. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the release of lien for 11488 Flamingo Ave W. A copy of the recorded document is on file with this day's minutes.

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

MEET WITH COUNTY ASSESSOR TO CONSIDER SITE IMPROVEMENT EXEMPTION APPLICATIONS

The Board met today at 11:02 a.m. with the County Assessor to consider site improvement exemption applications. Present were: Commissioners Brad Holton and Leslie Van Beek, Assessor Brian Stender, and Deputy Clerk Monica Reeves. Pursuant to Idaho Code, Section 63-602W, the applications qualify to receive a 75% exemption for the lot improvements before the lots are sold. If the owner sells the lots they lose the exemption and it will be prorated on the sub-roll at the end of the year. If it's an owner-build then the exemption stays with the lot until the parcel is sold and then the recapture process begins. Assessor Stender reviewed the following exemption applications and believes they are eligible for the exemption this year:

Cumberland No. 6
 West Highlands Ranch 13
 West Highlands Ranch 14
 West Highlands Ranch 15
 West Highlands Ranch 16
 West Highlands Ranch 17
 Silver Star No 1
 Silver Star No 2
 Silver Star No 3
 Silver Star No 4

Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign the applications for property tax exemption for the 10 subdivisions

presented by the Assessor as enumerated, with an effective date of January 1, 2023. The meeting concluded at 11:08 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING TO CONSIDER A REQUEST BY KM ENGINEERING LLP, REPRESENTING RICHARD ALBISU, FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE, CASE NOS. OR2022-0007 & CR2022-0015

Commissioner Leslie Van Beek went on the record today at 1:33 p.m. to reschedule the public hearing regarding the request by KM Engineering, LLP, representing Richard Albisu, for a comprehensive plan map amendment and conditional rezone, Case Nos. OR2022-0007 and CR2022-0015. The hearing was rescheduled to April 26, 2023 at 1:30 p.m. so all three Commissioners can participate in the hearing. The proceeding concluded at 1:34 p.m.

CONSIDER MINISTERIAL ITEMS

The Board met today at 2:44 p.m. to consider commuter vehicle authorization forms and alcoholic beverage license renewals. Present were: Commissioners Brad Holton and Leslie Van Beek and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign commuter vehicle authorization forms for Brandi Clough and Guadalupe Tovar. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to approve the following alcoholic beverage licenses for renewal:

- Idaho Bowling Corporation Inc. dba Nampa Bowl (Resolution no. ABL23-050)
- Idaho Golf Partners, Inc. dba Timberstone Golf Course (Resolution no. ABL23-049)
- Golden Palace, Inc. dba Golden Palace; Panther Event Center, LLC dba Panther Event Center; Pantera Market & Mexican Restaurant #2, LLC dba Pantera Market #2 (Resolution no. ABL23-048)
- O Seafood, Inc. dba O Crab (Resolution no. ABL23-047)

The meeting concluded at 2:47 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 12, 2023

There were no meetings held today.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 13, 2023

APPROVED CLAIMS

- The Board has approved the Grand Jury claim in the amount of \$1,927.85

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- A-Gem Supply in the amount of \$1,424.50 for the Facilities Department
- Best Buy in the amount of \$1,423.82 for the Information Technology Department
- Avaya in the amount of \$1,773.60 for the Information Technology Department
- Mountain Home Auto Ranch in the amount of \$45,802.00 for the Fleet Department

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 4/29/23; and Slick's Bar to be used 4/29/23.

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

The Board met today, April 14, 2023 at 9:31 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. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Facilities Director Rick Britton (left at 9:41 a.m.), Fair Director Diana Sinner (left at 9:41 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Signing Agreement for Noxious Weed Control and Cooperative Agreement for Gopher Control with Idaho Transportation Department: These are annual renewals and Mr. Wesley provided a brief outline of each agreement. In regard to the fees, Mr. Britton feels that they may need to be updated in future years but is comfortable moving forward as-is this year. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the agreement for noxious weed control (see agreement no. 23-044) and cooperative agreement for gopher control with Idaho Transportation Department (see agreement no. 23-045).

Consider Invitation for Bids and Legal Notice Inviting Bids for Canyon County Fair Event Center Fence Project: Director Britton explained this is for the perimeter of the expo building. He has identified some potential vendors and spoke about the kind of fence they're looking for along with some of the requirements. The goal is to have the fence completed before the fair this year and URA monies can be used for this project. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the invitation for bids and legal notice

for the Canyon County Fair Event Center Fence project. Copies of the notice and IFB are on file with this day's minutes.

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 9:41 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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel and COO Greg Rast. The Executive Session concluded at 9:58 a.m. with no decision being called for in open session.

At the conclusion of the executive session the following action item was considered:

Consider resolution approving an alcoholic beverage transfer license for KJ's 80218: This transfer is just for a name change and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving an alcoholic beverage transfer license for KJ's 80218 (see resolution no. 23-051).

Commissioner Van Beek made a motion to continue the legal staff update meeting to 3:30 p.m. today. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 9:59 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH DEQ REGARDING ANDERSON CORNER

The Board met today, April 13, 2023 at 10:05 a.m. with DEQ regarding the Anderson Corner Property. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Treasurer Tracie Lloyd, Chief Deputy Treasurer Tonya May, Assessor Brian Stender, Eric Traynor with DEQ, COO Greg Rast and Deputy Clerk Jenen Ross.

Anderson Corner is a property that was taken by tax deed in approximately 2016, however, after it was taken there was pollution on the land that was discovered. Mr. Traynor provided a brief overview of the property noting that in 2004 the islands in front of the convenience store were leaking from various places underneath. This property had above ground fuel storage tanks and a bulk fueling operation along with a liquid propane tank/dispenser, storage & laundry building, a residential building and an RV area in the back. In regard to a question from Commissioner Van Beek, Mr. Traynor explained that above ground fuel storage tanks are not regulated by the state;

above ground tanks fall under the purview of the EPA and the only time they would come under DEQ purview is when a release has occurred. Once the property was owned by the County, DEQ and Mr. Traynor were notified and asked if there was anything that could be done in regard to the Brownfield program. In 2004 monitoring wells (MW) 1-5 were installed by the Petroleum Storage Tank Fund and MW 6-8 were installed by DEQ. When sampling was done they found contamination in MW 1,3, 6, 7 and 8 - they found dissolved petroleum product that is above DEQ standards. Approximately 1800 cubic yards of petroleum contaminated soil was removed from the site near the former convenience store but due to proximity to the irrigation canal they were only allowed to get so close thus leaving a certain amount of still contaminated soil on the property. At some point after the soil removal the canal company had been out to work on a subsurface pipe but it is unknown what happened to the contaminated soil they moved – if it was left at the site or removed. At this point Mr. Traynor estimates that DEQ has spent near \$250,000 on this site. Due to some of the wells drying up it was decided that wells 6-8 would be abandoned and deeper wells would be installed in close proximity.

Mr. Traynor explained that if all contamination can be kept on site that DEQ has mechanisms in place so that they could close the site thru an environmental covenant. In referencing *Figure 5: LNAPL Contour Map 07/12/22*, Mr. Traynor explained that in MW-3 they found nearly 2' of free product (petroleum product), on MW-1 they found 1.5' of free product and in MW-6 there is 1' of free product. At this point both MW-8 and MW-7, which are at the property boundaries are all below standards. Moving forward there needs to be a system installed to remove the product and possibly install additional wells within the triangle area of the LNAPL plume. At this time Mr. Traynor doesn't have any more funding to put toward this project, however he is looking to apply for ARPA funds to continue the work at this site. He discussed the logistics of installing skimmers at the property to remove the product and getting the monitoring wells to the dissolve phase. As long as they can get to and remain in the dissolve phase and MW-7 and MW-8 remain in the same status as they are then an environmental covenant can be place on the property with a non-residential use restriction, groundwater extraction restriction other than for watering unless there was a deeper well, however, the domestic well on the site is good. At this point it is hard to pinpoint a timeline for the property to be remediated because there is so much product that needs to be removed.

Commissioner Van Beek asked if change in ownership would change the work DEQ is willing to do at the site. Mr. Traynor said it wouldn't, he's willing to work with anyone but the new owner would have to assume any liability. In his opinion, if he were to be asked by someone about purchasing the property he would strongly discourage it.

The meeting concluded at 10:43 a.m. and an audio recording is on file in the Commissioners' Office. Copies of the maps provided and reviewed by Mr. Traynor are on file with this day's minutes.

MEETING WITH THE CITY OF NAMPA TO DISCUSS INTEREST AND FEES ON DELINQUENT TAXES

The Board met today at 11:04 a.m. for a meeting with the City of Nampa to discuss interest and fees on delinquent taxes. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Treasurer Tracie Lloyd, Deputy PA Oscar Klaas, Deputy PA Zach Wesley, Clerk Chris Yamamoto, Controller Zach Wagoner, Nampa Mayor Debbie Kling, Chief of Staff Rick Hogaboam, Nampa Finance Officer Doug Racine, Nampa City Council President Randy Haverfield, and Deputy Clerk Monica Reeves.

Rick Hogaboam reviewed the legislation regarding how to interpret the collection of interest and fines connected to delinquent taxes.

- Idaho Code further defines the collection cost as:
 - I.C. 63-1002 PAYMENT OF DELINQUENCY — ORDER — RECEIPT. (1) Whenever a delinquency exists for any year, the taxpayer may pay to the tax collector any part of such delinquency ***together with the costs***, late charges and interest. ***Costs include certified mailings, title searches, advertising and all other expenses for the processing and collection of the delinquency.*** Provided however, that any delinquency shall be applied to costs, collection costs, special assessments, charges, fees, interest, late charges and property tax in the proportion each bears to the total amount due. Payment applied to the property tax shall be posted directly to the roll.

It has been the practice that the interest and fines associated with delinquent taxes to the City of Nampa has been remitted through the collection process. The statute envisions other expenses that is intended to cover the administrative cost recovery for whatever burdens might be associated at the county level. The legislation was attempting to clarify that jurisdictions should be solidified through statute with how the collection is remitted. If interest and fines are not remitted back to the City of Nampa for delinquent taxes then it becomes like an interest-free loan from the city to have to front cash flow and then only recovering the value of money and the fixed dollar amount. The state said the interest and fines are to incentivize people to pay taxes on time and they should be remitted to the city.

Doug Racine the amounts paid to the City have averaged from \$220,000 down to \$175,000 per year in the penalties and interest portion, not the delinquency, and it becomes part of the city's budgetary base in funding the city.

Mr. Hogaboam said there are two counties who do not want to add administrative costs so they were going to take part or all of the interest in the fines and not remit those to the taxing districts and count that as their administrative costs rather than charging it out.

Mayor Kling said historically it has been operating just fine and has been remitted back, and the City's request is to continue moving forward as we have in the past. Commissioner Van Beek said she does not have an interest in taking the fees and interest; it has been well articulated by the Chief on what the intent was that if you have admin costs those are separate from the interest and penalties themselves. If the County has a need to recover those administrative costs then we

need to look at impact fees. Commissioner Brooks said it's been a good working relationship, and he does not want to upset the applecart.

Controller Zach Wagoner said there is a distinct difference between property tax penalty and interest. Kootenai County and Bonneville County have started retaining all penalty and interest related to property tax. There are different interpretations and legislation was brought forward to provide clarity on this matter, but that legislation did not advance out of the House Revenue and Tax Committee and there is still a lack of clarity. The County incurs substantial costs to administer the property tax system from assessment, to calculating rates, to collection and that is going to get incredibly more complex in the coming weeks with HB292. Canyon County has over 60 taxing districts and when he looked at the dollars they request from property tax versus the actual amounts of money remitted to the taxing districts and when he excluded penalty and interest, our taxing districts would be made whole strictly just by property tax collection. If the County kept the penalty and interest the taxing districts would still be made whole based on what they asked for. In the case of Nampa for the last fiscal year, the property request was \$38.5M and the amount of property tax returned to Nampa was \$39.6M, excluding penalty and interest. Currently we do remit the penalty and interest so that would be in addition to on top of the \$1M above what Nampa levied and that was consistent throughout all taxing districts. There are situations where property taxes are not paid timely so the County is still pursuing collection activities on old property tax and as we collect the old property tax we remit it to the appropriate taxing district.

Discussion ensued about the cost of collection and remittance process as well as the calculation of levy rates. Commissioner Holton said no one in the room is willing to say the County is going to keep it all. It seems fair and judicious that the County charge accordingly to the complexity of what the administration is to get the city its number. There was further discussion regarding the amount of monies collected versus the amount the city submits for its annual budget. Inside the \$1M differential would be delinquent property tax collections - it's not that we are getting more, we are recovering what we didn't get in prior years. Controller Wagoner said for the four (4) previous years, more was remitted than was levied.

Mayor Kling cautioned the County not to mix the issue of the cost of preparing the tax statement with this issue of the cost of delinquency and interest and said this discussion is about the remission of the interest and the delinquent fees. Mr. Racine said city has received more money than they budgeted, but they have also been incurring costs to service those new properties and delinquent properties so from that perspective it's catching them up for costs, but they are barely keeping pace with the costs they are incurring from the new subdivisions.

Controller Wagoner said if somebody is not paying their property tax the County is not getting the cash flow and neither are the taxing districts. Based on what we've seen with the Treasurer's efforts to pursue delinquent property taxes and with occupancy tax, as far as a cash flow we have seen that based on what's levied the cash flow is exceeding what was levied in a fiscal year. Without assessed values there are no levy rates, without levy rates there are no property taxes and without property tax there is no penalty and interest. The County dedicates a tremendous

amount of resources to do this efficiently. Mr. Racine said the cashflow goes up for the County as well as it goes up for the cities on those collections.

The meeting concluded at 11:52 a.m. No Board action was required or taken. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Tony Elordi, is requesting a development agreement modification to agreement number 16-226 associated with Case No. PH2016-30, an approved conditional rezone. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Official Dan Lister, DSD Planner III Michelle Barron, DSD Planner I Samantha Hammond, Tony Elordi, Bob Dickson, Victoria Cowan (provided testimony via teleconference), Jerry Cereda, Bob Dickson, Jon Minkoff, Rene Bine, Shelly-Jean Soule', Ron Kirtley, and Deputy Clerk Monica Reeves.

DSD Planner Samantha Hammond gave the oral staff report. The subject parcels, approximately 42.4 acres, are located adjacent to 18121 Andorra Lane in Caldwell, Idaho. The agreement was created in 2016 and the modification is to allow Lot 5 of the Andorra Estates Subdivision to be divided to create a total of two buildable parcels, and it includes changing three of the original development agreement conditions. The applicant's letter of intent and site plan show how the intent of the modification is to have the capability to live on site and maintain the agricultural production of the property themselves. If approved platting will be required. The subdivision is result of a conditional rezone from agriculture to rural residential which was approved on August 22, 2016 subject to conditions. Lot 5 and Lot 9 shall remain in irrigated agricultural production only, and 86% of the land would remain in agricultural use. The development agreement states Lot 9 shall not have a residential permit available and shall remain in irrigated agricultural production. (Lot 9 on the approved final plat is a private road, so what they are referring to in the agreement is Lot 10.) Both parcels contain a 3.5-acre building envelope for each building permit being requested. Parcel 5A has the intent of a small orchard, small vineyard and Parcel 5B will encompass the remaining 50% of the pivot irrigation system. With the building envelopes, 83.84% of that lot would remain in full ag production. Ms. Hammond reviewed the site photos and surrounding area as well as the comments received. The future land use designation is agricultural. On December 1, 2022, the Planning and Zoning Commission recommended denial of the modification request. Following her report, Ms. Hammond responded to questions from the Board.

The following people testified in support of the request:

Tony Elordi testified he began the project nine years ago and has been farming it since. He purchased the property from people who were trying to sell it at a prime development price and his intent was to develop it for residential use and to make a better farm out of it. The property

sits in a bowl and has substantial slopes. He removed the 10-acre ridge that ran through the property and invested in a pivot system and underground delivery systems. He wanted to do more residential than what he ended up with. He is not a farmer and he wants to keep the rural residential character of the project. He has leased the property because he doesn't have the equipment or the energy to take care of a parcel that big. His children will retire soon and they want to live on the property and do a farm-to-market type production with an orchard and a vineyard on part of it. Mr. Elordi plans to develop the parcels and live there and keep farming it.

Bob Dickson lives next to the subject property and testified the area is steep and difficult to irrigate. He likes the proposal for a vineyard and believes this would be the ideal spot to make some changes otherwise it's wasted or barren land.

Victoria Cowan, who is Mr. Elordi's daughter, testified she and her husband co-own the subject property with her parents. She understands the neighbors' desire to protect their views of the Owyhee Mountains and the Snake River Valley and she understands the growing concerns of native Idahoans with regards to development of the valley. This land is not prime farm ground and over 35 acres are classified as nonprime farmland with least suited soils. With their current leasing and share cropping methods a 40-acre monocrop does not produce a profit. They have not made any money on the land since owning it but instead have spent a great deal of money improving the land. Farmers have reported difficulty in irrigating the land and are limited in the crop types they can plant. There is concern about wells and water availability, however, the hydrologic report states data suggests a productive aquifer underlies the property and is easily capable of providing the anticipated water supply. There is no current data suggesting declining water levels in existing wells. The land will be irrigated with surface water. Ms. Cowan said they are pursuing options for a small cider orchard and vineyard which would use drip irrigation, and with two building envelopes 84% of the land will remain in full agricultural production.

The following people testified in opposition to the request:

Jon Minkoff lives on Eva Lane in Caldwell and said the Elordis admit they are not farmers and they bought mostly prime ag land outside the impact area with the clear intent to build houses contrary to the agricultural zoning, the comprehensive plan, and the rural character of the area. Mr. Elordi was fortunate to be granted a compromise through the development agreement which allowed him to build on a portion of the land as long as the rest of the land was maintained in agricultural production. It is not within the spirit of the agreement to build on Lot 5, in fact it is expressly prohibited. He said the Elordis are free to farm Lot 5, they don't have to build on it.

Ron Kirtley testified about his concerns with water and wells going dry, and he worries how many more modification requests will be made by the applicant.

Jerry Cereda lives below the subject property and farms in the area and said there have been a lot of variations to what Mr. Elordi originally started. He is opposed to putting more house on the property especially due to the water issues. It's not topnotch ground but he said Mr. Elordi should have researched it if he's worried about farm ground. He bought it with the idea to subdivide it.

Rene Bine is the President of the Canyon County Alliance for Responsible Growth, and has lived a quarter mile from the subject property for 22 years. He testified the development agreement was carefully drafted by the County to ensure the acreage would stay agricultural in perpetuity. The neighbors wanted the parcel made into a separate parcel but the County said the agreement was a better way to go and it gave the County full discretion as to ever changing its use. He said Mr. Elordi has tried to continually get more lots out of the property and the original parcel he created and he has come back time and time again to wear down the neighbors and the County. Mr. Bine does not believe the proposal makes sense for farm ground.

Shelly Jean Soule' testified she purchased her property on Eva Lane in 2003 for the views. As they were making improvements to their property Mr. Elordi was asking for water rights to be moved, and for houses to be built. Her primary concern with the proposal is the impact to property values and increased property taxes. She has three neighbors with adult children living with them so they can afford to stay on their property.

Rebuttal testimony was offered by Tony Elordi who said the neighbors are blaming their subdivision issues on what he's done on his property and he doesn't understand why they are upset about him wanting to build on his farm and have a house for his family. There is a well on the Snively property at the head of the subdivision that IDWR has been monitoring for 20 years and the report indicates the water has been static and, in some years, it has been above the static line. Following his testimony, Mr. Elordi responded to questions from the Board.

Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to accept the late submittals of attachments G and H. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Brooks said this comes down to the language of the original development agreement which states a modification request must be accompanied by a statement demonstrating the necessity for a request for modification. He agrees with staff's comment that the request is a desire, not a necessity. Commissioner Van Beek said there are parts of it that are identified as less than desirable for farming, and there were three platted subdivisions when this was approved in 2016 and today there are five. It appears the area is in transition. She wants to see design overlays for standards on building as part of the comprehensive plan and ordinance but we don't have that. There is not a direct correlation between assessed value and increase in property taxes. Planning Official Dan Lister said the majority of the area is agriculture with a lot of conditional rezone approvals. There has been no change to the area since 2017 when the newest subdivisions were approved, and those changes came with a conditional rezone agreeing to a certain type of development. There have been land divisions which are allowed in the agricultural zone. The reason this did not go through a comprehensive plan amendment is because there were so many conditions applied to this to maintain the agricultural character which got it an approval by the hearing body at that time. The current comprehensive plan shows this area as agriculture. Commissioner Holton understands the position of the applicant, but said there is a prior agreement and it was pretty bulletproof. The proposal is a substantial change from the original development agreement. There are other vehicles the applicant could use to attempt to do what he is trying to do, but Commissioner Holton is uncomfortable with modifying the

development agreement. DSD Planner III Michelle Barron said in reading the ordinance she questioned if it's necessary to modify the agreement. How do you put necessary on a definition, and where can you come up with evidence for that? Planning Official Lister said necessity has been viewed differently by different hearing bodies and with there being two new commissioners there could be another interpretation which is why he brought up the history. Staff's interpretation over the past 2-3 years is that a necessity is a necessity and if it's a substantial change to the FCO's then the findings cannot be made for that anymore and it would have to go back through another process. In 2016 necessity was subjective. It is up to the Board to decide if it's a necessity. DSD Planner I Samantha Hamond said staff's initial recommendation of approval did come from minimal information and she looked at it from the perspective of necessity meaning process, versus necessity meaning personal. Commissioner Brooks does not believe this is a matter of necessity, but if it comes back through another process where that's not in play he could easily make the argument to approve based on the soil information, but that's not what is before the Board today. The modification request today does not meet the threshold just like the staff reports states. Commissioner Van Beek said this area is largescale diversified agriculture and a farmer has a right to live on their land, otherwise the avenues looking for a material change the applicant would have to go back because of the time that has lapsed and look at it again. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to deny Case No. DA2022-0003, a modification of a development agreement, No. 16-226 which was approved as part of Case No. PH2016-30. The hearing concluded at 3:03 p.m. An audio recording is on file in the Commissioners' Office.

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

Commissioner Van Beek made a motion to return to Executive Session at 3:32 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Van Beek, Brooks and Holton voting in favor of the motion to return to the continued Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Civil Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel and COO Greg Rast. The Executive Session concluded at 4:23 p.m. with no decision being called for in open session.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 14, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Chef's Deal Restaurant Equipment in the amount of \$19,391.14 for the Facilities Department
- Architectural Glass in the amount of \$11,293.00 for the Facilities Department
- Dell in the amount of \$2,475.60 for the Information Technology Department
- Dell in the amount of \$6,088.11 for the Information Technology Department
- Dell in the amount of \$1,538.24 for the Information Technology Department
- Dell in the amount of \$8,070.47 for the Information Technology Department
- Dell in the amount of \$2,779.49 for the Information Technology Department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for William Kaufer, Deputy Sheriff – Patrol; Matthew Demelo, Deputy Sheriff - Patrol; William Brust Deputy Sheriff - Inmate Control; Chris Graham, Sergeant - Patrol; and Cameron Witgenstein, Corporal - Patrol; and Richard Gragg, Sr. Weed and Gopher Applicator.

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for O'Michael's Pub & Grill to be used 5/13/23, 5/6/23, 5/20/23, and 5/27/23; and Craft Lounge to be used 5/4/23 and 6/1/23; and Danelion Brewery to be used 4/22/23 and 5/20/23.

BUDGET STATUS UPDATE MEETING

The Board met today at 10:05 a.m. for a budget status update meeting. Present were: Commissioners Leslie Van Beek and Zach Brooks, Commissioner Brad Holton participated via teleconference, Clerk Chris Yamamoto, Controller Zach Wagoner, Assessor Brian Stender, Auditing Supervisor Sarah Winslow, COO Greg Rast and Deputy Clerk Jenen Ross.

Controller Wagoner provided several documents to the Board and reviewed them as follows. Each of the documents that were reviewed are on file with this day's minutes.

A brief review of the *Actuals to Budget Expenditures FY2023 thru 3/31/23* worksheet was provided to the Board. The total FY2023 Expenditure Budget is \$132,746,090 and as of 3/31/23 the county has spent \$52,391,049 with \$80,355,041 remaining in the budget. As far as actual spending to budget there is nothing that stands out as unexpected or out of line.

Controller Wagoner created a document detailing governmental accounting including a definition and breakdown of fund accounting and how it operates. Currently Canyon County budgets for 20 governmental funds and 1 enterprise fund. There are 12 governmental funds that levy property tax and each fund has its own property tax rate. Mr. Wagoner spoke about enormous amount of property tax financial detail it takes for each levied fund and the costs associated with maintaining that amount of detail. Controller Wagoner has suggested moving the county from the 12 governmental funds to 4 governmental funds – only keeping current expense, district court, Southwest District Health and justice. County weed control, Assessor's reappraisal, County Fair, Parks and recreation, historical society and tort functions would be rolled into the current expense fund. Some funds that are not property tax based would still be maintained such as the E911 fund because those fees are very specific in how they can be used. Controller Wagoner explained there is a fair amount of work in doing this and wants to make sure it is something that is worthwhile, makes sense and something that can operate into the future. In response to a question from Commissioner Van Beek in regard to the newly adopted policy of transparency, Controller Wagoner feels that moving to this will offer the same level of transparency as the funds that are individually levied as they currently are because those funds will become 'departments' from an accounting terminology point of view.

Commissioner Van Beek spoke about how she would like monies budgeted for facility projects or fleet vehicles to be under each of those departments vs. parceled out to individual departments/offices. Controller Wagoner expressed his concerns with this and his desire to use other people's money (grants, state monies, lottery tax money) first before taxpayer dollars and they need to be accounted for within those departments/budget lines. Additional discussion

ensued regarding funded but not filled positions and personnel requests to be included in the upcoming budget discussions.

In response to a question from Commissioner Brooks, Controller Wagoner spoke to the process of reducing the number of funds and that it would be in part internal accounting implementation. There will likely be further conversation regarding this as part of the budget process.

Assessor Stender provided handouts to the Board which reviewed the average number of customers served per day by month from January 2021 thru March 2023 and revenue numbers from October 2021 thru January 2023. With the increased use of the internet and QR codes for renewals Assessor Stender anticipates the walk-in traffic starting to diminish.

The meeting concluded at 11:04 a.m. and an audio recording is on file in the Commissioners' Office.

APRIL 2023 TERM
CALDWELL, IDAHO APRIL 17, 2023

APPROVED CLAIMS

- The Board has approved claims 593750 to 593752 in the amount of \$19,053.64

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- RMT Equipment in the amount of \$15,299.00 for the Fleet Department

APRIL 2023 TERM
CALDWELL, IDAHO APRIL 18, 2023

APPROVED CLAIMS

- The Board has approved claims 593940 to 593941 in the amount of \$3,351.00
- The Board has approved claims 593942 to 593981 in the amount of \$35,817.68
- The Board has approved claims 593982 to 594021 in the amount of \$27,640.03
- The Board has approved claims 593876 to 593899 in the amount of \$11,263.00

APPROVED PAYROLL APRIL 21, 2023

The Board approved the April 21, 2023 payroll in the amount of \$2,171,536.35

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Steve Webb.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Intermountain Wood in the amount of \$3,339.39 for the Facilities department
- Architectural Glass in the amount of \$41,665.00 for the Facilities department

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

The Board met today at 9:35 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Commissioner Brad Holton participated via Webex (joined at 9:44 a.m.), Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas (left at 9:39 a.m.), Landfill Director David Loper (left at 9:44 a.m.), EOM Christine Wendelsdorf (left at 9:39 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

Consider Lease Agreement Between Ada County and Canyon County for Canyon County to Lease a Portion of Shafer Butte Radio Tower Facility: This tower is owned by Ada county but used by Canyon County for emergency radio communications as well as equipment storage. The agreement is substantially the same as previous years with some updated language and exhibit detailing the equipment; the contract will be in effect until September 30, 2027. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the lease agreement between Ada County and Canyon County for Canyon County to lease a portion of Shafer Butte radio tower facility (see agreement no 23-046).

Consider Notice of Intent to Award Contract for the Installation of Gas Collection System and Flare Station Components Project at the Pickles Butte Landfill: The timeframe for this project was extended for additional review of the bids. One of the bidders, Syblon Reid, asked for relief from their bid submission as they did not feel it was in compliance with the project specifications. The second lowest bid, once the bid from Syblon Reid was removed, was SCS Field Services, they are a landfill engineer construction firm with a bid amount of \$2,614,806. The letter signed today will notify Syblon Reid of their relief from the bid process and the intent to award the contract to SCS Field Services. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the notice of intent to award contract for the installation of Gas Collection System and Flare Station Components Project at the Pickles Butte Landfill. A copy of the letter is on file with this day's minutes.

Consider a resolution granting a renewal beer/wine alcoholic beverage license to the following:

- Costco Wholesale #734
- Albertsons #166
- Albertsons #103
- Albertsons #176
- Albertsons #1602
- Angeles De Puebla Ice Cream
- Asian Grocery
- Sushi Sushi
- White Dog Brewing Co.
- Gallegos Meat Market
- Gallegos Meat Market #2

Commissioner Brooks made a motion to grant the renewal of beer/wine alcoholic beverage licenses as noted on the agenda. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution nos. 23-052 and 23-053.

Consider a resolution granting a renewal beer/liquor alcoholic beverage license to the following:

- Sportsman's Hideout
- Texas Roadhouse
- McCleary's
- Caldwell Elks Lodge #1448
- Rocco's Roadhouse
- River Bend Golf Course
- Vern's Lounge
- Buck's Saloon & Steakhouse
- V-Cut Lounge
- Brick 29

Commissioner Brooks made a motion to grant the renewal of beer/liquor alcoholic beverage licenses as noted on the agenda. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution nos. 23-054 and 23-055.

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 Brooks made a motion to go into Executive Session at 9:48 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Van Beek. A 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 Zach Brooks and Leslie

Van Beek, Commissioner Brad Holton participated via Webex, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley and COO Greg Rast. The Executive Session concluded at 10:21 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.

TOUR PROPOSED NAMPA AREA OF CITY IMPACT EXPANSION WITH PLANNING DIRECTORS FROM CANYON COUNTY AND THE CITY OF NAMPA

The Board toured the proposed Nampa Area of City Impact expansion with planning directors from Canyon County and the City of Nampa. Present were: Commissioners Zach Brooks and Leslie Van Beek, COO Greg Rast, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, Nampa Planning Director Rodney Ashby, Nampa Principal Planner Doug Critchfield, and Deputy Clerk Monica Reeves. On April 24, 2023 at 3:30 p.m. the Board will meet with officials from the City of Nampa to discuss its proposed area of impact expansion request and today's tour was held in advance of that meeting. The tour route began at 10:55 a.m. at the Midway Park in Nampa, it did not stop at or point out any pending applications, but there was discussion about the general area and characteristics. The route included the following areas: Midway Road, Greenhurst Road, Midland, Locust Lane, Tio Lane, and Lone Star Road. There was conversation on the following topics:

- Density of existing developments
- Zoning designations
- The need to make a distinction about the ag designation
- The need more discussion about agritourism
- The need for a broader discussion about sub-area plans
- What does preservation of agriculture mean to the city?
- How do both entities work together in these spaces?
- Service areas near Lake Lowell
- There will be another workshop to do a deeper dive into the area of impact and talk about the joint powers agreement

The tour concluded at 12:09 p.m. No Board action was required or taken. An audio recording of the tour is on file in the Commissioners' Office.

APRIL 2023 TERM
CALDWELL, IDAHO APRIL 19, 2023

APPROVED CLAIMS

- The Board has approved claims 593900 to 593939 in the amount of \$42,298.96

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$9,229.44 for the Information Technology Department
- HD Headsets in the amount of \$1,185.30 for the Sheriff's Office

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Carmen Jimenez, Legal Support Specialist II; Bonnie Wood, Temporary Elections Staff; Shane Sears, Temporary Elections Staff; and Trina Harrell, Temporary Elections Staff.

PLANNING & ZONING COMMISSION APPLICANTS REVIEW

The Board met today, April 19, 2023 at 2:04 p.m. to discuss Planning & Zoning Commission applications. Present were: Commissioners Leslie Van Beek and Zach Brooks, Commissioner Brad Holton participated via teleconference, DSD Director Sabrina Minshall, COO Greg Rast and Deputy Clerk Jenen Ross.

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

EXECUTIVE SESSION – PERSONNEL MATTERS TO CONSIDER HIRING A PUBLIC OFFICER, EMPLOYEE, STAFF MEMBER OR INDIVIDUAL AGENT, WHEREIN THE RESPECTIVE QUALITIES OF INDIVIDUALS ARE TO BE EVALUATED IN ORDER TO FILL A PARTICULAR VACANCY OR NEED. THIS PARAGRAPH DOES NOT APPLY TO FILLING A VACANCY IN AN ELECTIVE OFFICE OR DELIBERATIONS ABOUT STAFFING NEEDS IN GENERAL

Commissioner Brooks made a motion to go into Executive Session at 2:05 p.m. pursuant to Idaho Code, Section 74-206(1) (a) personnel matters to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general. The motion was seconded by Commissioner Holton. A vote was taken on the motion with Commissioners Brooks and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Zach Brooks and Leslie Van Beek, Commissioner Brad Holton participated via teleconference, DSD Director Sabrina Minshall and COO Greg Rast. The Executive Session concluded at 2:52 p.m. with no decision being called for in open session.

MEETING TO CONSIDER ACTION ITEMS

The Board met today, April 19, 2023 at 2:52 p.m. to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Commissioner Brad Holton participated via teleconference, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution granting a renewal beer/wine alcoholic beverage license to:

- Eskimo Hut
- Tsai's Kitchen
- The Griddle

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the resolution granting a renewal beer/wine alcoholic beverage license to the above-named entities.

Consider a resolution granting a renewal beer/liquor alcoholic beverage license to:

- Mariscos El Viejon
- Bob's Trolley House II

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the resolution granting a renewal beer/liquor alcoholic beverage license to the above-named entities.

The meeting concluded at 2:54 p.m. and an audio recording is on file in the Commissioners' Office.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 20, 2023

APPROVED CLAIMS

- The Board has approved claims 593796 to 593835 in the amount of \$53,203.67
- The Board has approved claims 594022 to 594060 in the amount of \$31,326.45
- The Board has approved claims 593836 to 593875 in the amount of \$55,823.59
- The Board has approved claims 594094 to 594132 in the amount of \$49,815.96
- The Board has approved claims 594133 to 594199 in the amount of \$350,637.57
- The Board has approved claim 594200 in the amount of \$150.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Oracle in the amount of \$4,280.00 for the Information Technology Department
- Right Systems in the amount of \$32,097.00 for the Information Technology Department
- JamF in the amount of \$8,190.00 for the Information Technology Department

- SHI in the amount of \$23,396.20 for the Information Technology Department
- Calero Software in the amount of \$1,147.36 for the Information Technology Department

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

The Board met today, April 20, 2023 at 9:33 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Commissioner Brad Holton participated via teleconference, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Treasurer Tracie Lloyd, Director of Juvenile Probation Elda Catalano (left at 9:38 a.m.), Division Supervisor Linda Hall (left at 9:38 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Agreement with United Way of Treasure Valley Inc. to Supply Fiscal Sponsorship to Canyon County Juvenile Probation Department for Truancy Prevention Kicking-Off School 2023 Community Event: Director Catalano explained this partnership with the United Way has been in place for 8 years in order for them to serve as the fiscal agent for this community event hosted by Juvenile Probation each year. There is no cost to the county, the United Way provides this service free of charge. At the request of the Board, Ms. Hall provided background information on the event and what they are able to provide to the community. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with United Way of Treasure Valley Inc. to supply fiscal sponsorship to Canyon County Juvenile Probation Department for Truancy Prevention Kicking-Off School 2023 Community Event (see agreement no. 23-047).

Consider resolution and quit-claim deed granting parcel no. 26250505A0 to Paul and Wendy Zahller: Treasurer Lloyd provided background on the offer proposed by the Zahller's. This parcel was taken for tax-deed in 2013 for the 2009 taxes. It is a 10' strip of land adjacent to the Zahller's property which was offered at auction in 2013 but no bids were received. The Zahller's have provided a cashier's check in the amount of \$603.66 to the Treasurer's Office for past taxes, interest and penalties/fees. Commissioner Van Beek made a motion to sign the resolution and quit-claim deed granting parcel no. 26250505A0 to Paul and Wendy Zahller. The motion was seconded by Commissioner Brooks and carried unanimously. Treasurer Lloyd noted for the record that the Zahller's would like the parcel deeded to Wendy Doreen Zahller and Paul Robert Zahller Revocable Trust. With that information, Commissioner Van Beek made an amended motion to sell this property to Wendy Doreen Zahller and Paul Robert Zahller Revocable Trust. The amended motion was seconded by Commissioner Brooks and carried unanimously (see resolution no. 23-059).

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:31 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Commissioner Brad Holton participated by phone, DSD Office Manager Jennifer Almeida (left at 10:34 a.m.), Director of Indigent Services Yvonne Baker, Case Manager Kellie George, Treasurer Tracie Lloyd (left at 10:38 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution issuing a refund to Jeff Labahn: Ms. Almeida said this was for a building permit fee that was charged in error and staff is recommending a full refund of \$3205. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution to issue a full refund to Jeff Labahn (see resolution no. 23-058).

Consider the Treasurer's tax charge adjustment by PIN for March 2023: Treasure Lloyd said these are the monthly corrections and addressed a question from Commissioner Van Beek. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for March 2023.

Consider matters related to medical indigency:

Case no. 2023-58 – this is for a cremation which the family has indicated would create a hardship for them. The decedent had \$377 on a social security benefit card; there are no other assets or resources available. Following discussion amongst the Board, Commissioner Van Beek made a motion to deny the request. The motion was seconded by Commissioner Holton and carried unanimously.

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

CANYON COUNTY WATER WORKSHOP

The Board met today at 2:32 p.m. for a water workshop with presentations by the County Engineers, the Idaho Department of Water Resources (IDWR), Idaho Department of Environmental Quality (DEQ), and Southwest District Health (SWDH). Present were: Commissioners Zach Brooks and Leslie Van Beek, Commissioner Brad Holton participated via teleconference, DSD Director Sabrina Minshall, County Engineer Devin Krasowski, COO Greg Rast, Nick Miller and Eric Boe from IDWR, Ed Hagan, Fritz Durham, Aaron Schiff and Valerie Greer from DEQ, Mitch Kiester and Colt Dickman from SWDH, P&Z Commissioner Rob Sturgill, DSD staff members, Alan Mills, Matt Wilke, Larry Olmsted, Ron Harriman, interested citizens, and Deputy Clerk Monica Reeves.

Director Minshall said the goal of today's workshop is to discuss the authority and desire of Canyon County, as a land use permitting entity as related to topics of water resources. This is first workshop in an anticipated series. The recommended outcome is for the Board to consider the County engaging in a deep stakeholder-driven process and more detailed discussions around water resources so we can understand the tradeoffs between our policies and our approach to applications with the ultimate outcome being that as we updated the long range plan into 2040

we know what our choices are. There will be another meeting in 3-4 weeks to get BOCC direction with more options from staff.

Agenda

Why are we here?

- Explain the legality and practicality of why and how water supply and wastewater disposal fit into the land use planning decision process
- Introduce known issues or complicated situations the County experiences that fuel this discussion

Public/County/State Rights, Authorities, and Responsibilities - IDWR, DEQ, SWDH, each entity will discuss the following general topics:

- Discuss authorities and obligations with respect to the use and protection of the public's resources
- Describe what each agency's responsibilities are during land development
- Give perspectives on appropriate water/sewer infrastructure in the typical County development
- Describe the tools agencies may have that are meant to help local governments make decisions

Presentations were as follows:

County Engineer Devin Krasowski gave a presentation on the following topics:

Hypothetical County Development

Local/State/Federal Considerations (Water)

1. Comp Plan Amendment
 - a. Compatible with surrounding land uses?
 - b. IC 67-6537(4) - Must consider the effect on source, quantity, and quality of groundwater in the area
2. Rezone
 - a. Generally consistent with the comprehensive plan?
 - i. P5.01.03 and P5.01.04 encourage community systems
 - ii. P11.03.01 limit and mitigate housing in areas that have hazards, including contaminated groundwater
 - b. Compatible with surrounding land uses?
 - c. Negatively affect the character of the area? Mitigation?
 - d. **Will adequate facilities be provided?**
3. Preliminary Plat
 - a. Required Improvements
 - b. Conditions of approval to "minimize adverse conditions"

Other Local/State/Federal Considerations (Water)

1. IC 39-126 Duties of State and Local Units of Government
 - a. Shall Incorporate the Idaho Groundwater Quality Plan
 - b. Encouraged to implement groundwater protection policies
2. Safe Drinking Water Act

County Engineer Concerns/Opportunities

1. Use of domestic well exemption (IC 42-111)
2. Advanced septic system enforcement
3. No standard County requirements

Nick Miller, the IDWR Western Regional Manager, gave a presentation on Groundwater Use and Protection:

Topics:

- IDWR's Roles and Responsibilities related to
 - Groundwater Quality
 - Groundwater Quantity
- Sources of Information
 - FAQ, GIS maps, Hydrologic, published studies?

Goals for Today:

- Help provide context to support development of standards

IDWR RE: Groundwater Quality

Generally tied to well construction practices, but cooperative activities as well. For full description see:

Idaho Groundwater Protection Interagency Cooperative Agreement, June 2020.

IDWR has been vested with the authority to allocate water supplies IC 42-201 (7)

1951 Groundwater Act, as amended now codified as IC 42-226 - 42-237f

- Declared public policy to devote groundwater resources to beneficial use through appropriation
- Recognizes "first in time is first in right" cannot block full economic development of the groundwater resources, but still contemplates protecting senior users via "reasonable groundwater pumping levels"
- Formulates other management tools - GWMAs, CGWAs, other authorizations to manage the resource and administer existing uses

IDWR must balance opposing objectives - full development of the resource vs. preserving the resource for existing and future users.

*Note: No guarantee of perpetual, uninterrupted water supply for anyone.

IDWR Re: Groundwater Quantity

Domestic wells exempt from WR permitting IC 42-227

This exemption largely insulates domestic wells from IDWR's aquifer management tools.

GW Right Administration Considerations

- Most GW administration in the western region has been in response to long term, aquifer-wide issues, rather localized or seasonal issues. GWMA's, moratoriums, and drilling and appropriation adaptations
- No reasonable pumping levels have been established in Idaho.

Note: Reasonable pumping levels are intended to define how much impact a senior right holder should incur due to junior GW development - a reasonable pumping level is not intended to protect junior users in maintenance of historical pumping levels.

Goal of these administrative activities/designations are to exercise statutory authority to manage the resource - to protect the ability to put the resource to full beneficial use.

Ed Hagan and Fritz Durham from DEQ gave a presentation that was summarized as follows:

Overview –Groundwater Protection

Identify and encourage BMPs that can be used to protect groundwater quality

- Wells -Domestic wells vs Public wells
- Authorities for Groundwater Protection
- Nitrate Priority Areas
- Best Management Practices (BMPs) for Groundwater Protection
 - Nutrient-Pathogen (NP) evaluation

Domestic Wells vs Public Water Wells

Domestic wells

- More wells - more preferential pathways to move contaminants from land surface into groundwater
- Less stringent construction standards
 - 38 ft well seal
 - Thinner casing
- Water quality not regulated
 - No monitoring of water quality
 - No well lot or distribution system inspections

Public Water System Wells

- Fewer wells - less preferential pathways to move contaminants from land surface into groundwater
- More stringent construction standards
 - 58 ft well casing
 - Thicker casing
- Water quality regulated to protect public health
 - Drinking water quality standards apply
 - Routine water quality sampling
 - Periodic well, well lot, and distribution system sampling

Unsewered Subdivisions Impact on Groundwater

- Septic systems are waste disposal systems that release contaminants to subsurface
- Nitrate concentration discharge ranges from 30 to 80 mg/L
 - Idaho NP spreadsheet default = 45 mg/L, Utah 55 mg/L
- Average septic flow of about 300 gallons/day (70 gals/person/day) (USEPA Onsite WW Treatment Systems Manual 2002)
- 9 houses = 1,000,000 gallons annually (Goings 2022)
 - 170 kg (374 lbs.) of nitrate discharged from 9 houses

Are Septic Tanks a Groundwater BMP?

According to the report sent to the Congress by the U.S. Environment Protection Agency (1997),

- Yes - if lots are sized appropriately
- Depends on site-specific conditions including:
 - Groundwater velocity, depth to water, soils
 - Nutrient load - number of occupants in house, livestock, and fertilizer usage
- Lichtenberg and Shapiro (1997) found **that one onsite system is associated with about as much nitrogen leaching as one hectare (247 acres of cornfield.)** Therefore, if conversion of a cornfield to residential use with onsite sewage is at density of more than 1 onsite per hectare, the result will be higher N concentrations in the drinking water wells.

Existing Authorities - Environmental Protection and Health Act - Title 39

Existing Authorities - Title 67

Idaho Groundwater Quality Rule

Nitrate Priority Areas (NPAs)

25% of sampled wells have nitrate concentrations $\geq 5\text{mg/L}$ (standard = 10mg/L)

- High Priority: 8
- Moderate-High Priority: 17
- Moderate Priority: 10

Best Management Practices (BMPs)

- Use sewers or large soil absorption system
 - Centralized waste management
- Conduct Nutrient Pathogen Evaluations
 - Determine lot size and orientation to minimize degradation
- Install Nitrate - Reducing Septic Systems
 - Decrease nitrate concentration discharge, but require maintenance

BMP - Nutrient Pathogen Evaluation

- Scientific method for quantifying groundwater impacts from proposed septic systems (determine acceptable septic density)
- May include detailed numerical model
- Calculates change in nitrate concentration on groundwater from septic discharge
- Must be performed by qualified firm under DEQ oversight

Nutrient Pathogen Evaluation:

Guidance document initiated in 2002 to provide a standard for evaluating the impacts to groundwater from subdivision development and from large soil absorption systems.

Groundwater elevation contours, generated by IDWR. Very large scale, but best available data for groundwater flow direction and gradient.

Review of maps, graphs, and aerial photos as well as list of developments current under review, and previously DEQ approved/submitted and DEQ-approved

- Approved or under review:
 - 1,200 acres
 - 720 lots
 - 220,000 gallons wastewater/day

BMP - Nitrate-Reducing Septic Systems

Advanced treatment systems incorporate a treatment step between solids separation and final dispersal of effluent. Pumps, timers, and floats are used to control the flow of wastewater from one component of the system to the next.

- Advanced treatment systems designed to reduce nitrogen output
- Can reduce nitrate concentrations by 50% or more
- Systems typically involve pumps and other mechanical/electrical components

Colt Dickman and Mitch Kiester from Southwest District Health gave a presentation summarized as follows:

Subsurface Sewage Disposal Program (Septic Systems)

- SWDH employs Environmental Health Specialists (EHS)
- Their primary role is to protect groundwater and the surface environments from human-derived wastewater (aka septic or sewage)
- EHS staff ensure and enforce proper construction and regulations of residential and commercial septic systems
- EHS staff go onsite to perform soil analysis to ensure soils present are acceptable for treating wastewater
- After analyzing the soil, the EHS will write a permit for the approved septic system

Types of Septic Systems

Individual Septic System

- Serves 1-2 dwellings
- Consists of
 - Septic Tank
 - Drain field
- Installation Requirements
 - Can be installed by*
 - Homeowner
 - Licensed Basic installer
 - Licensed Complex installer

Large Soil Absorption Systems(LSAS)

- Serves systems that produce 2500 gallons of water daily
 - EX) Schools, Resorts
- Consists of
 - Septic tank (series)
 - Drain field (primary & replacement)
 - Pump/ pump tank
- Requirements for approval/ installation
 - DEQ Approval
 - Engineered
 - Installed by licensed complex installer

Alternative Systems

- Serves dwellings and businesses that have environmental limiting factors

- Basic systems with Modified standards (DEQ APPROVED) Includes
 - Extended treatment package system (ETPS)
 - Proprietary wastewater treatment system (PWTS)
- Installation requirements
 - Licensed Complex installer
 - May require certification course.

Individual Lot Setbacks

Contributing Parties to Land Development

Land Development./SSD Process

Other Environmental Functions of SWDH

- **Public Water Systems**
 - SWDH regulates 168 public water systems for safe drinking water.
 - Role is to ensure water system owners sample and test their water to meet quality standards.
- **Solid Waste Inspections**
 - Idaho law assigns the Public Health Districts responsibility for the review of solid waste facility operations and maintenance plans.
 - Types of solid waste facilities include: Municipal Solid Waste Landfills, Non-Municipal Solid Waste Transfer Stations, Construction and Demolition Sites, and Rural Drop Boxes.
- **Nuisance Complaints**
 - SWDH is a resource for these nuisance complaints: rabies investigations, animal bites, illegal dumping, solid waste violations, open sewage, and hazardous algae blooms

There will be subsequent conversations with the transportation partners and fire district partners, and in a few weeks DSD staff will follow-up with the Board to find out what additional information it wants and to talk about what's next and how to engage within the County's authority and the agencies' authorities. No Board action was required or taken today. The meeting concluded at 4:35 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2023 TERM
CALDWELL, IDAHO APRIL 21, 2023

APPROVED CLAIMS

- The Board has approved claims 593753 to 593795 in the amount of \$543,469.18

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Legends Sports Pub & Grill to be used 6/16/23, 6/24/23, 5/13/23, 5/20/23, 6/2/23, 6/11/23, 6/23/23 and 5/27/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Premier Wireless in the amount of \$5525.00 for the Sheriff's Office
- R&H Supply in the amount of \$4326.00 for the Facilities department
- Sherwin Williams in the amount of \$29,554.66 for the Facilities department
- Curtis Blueline Boise in the amount of \$1095.00 for the Misdemeanor Probation department

APPROVED NOVEMBER 2022 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of November 2022 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

TOURED COUNTY EXTENSION/COUNTY AGENT'S OFFICE

Commissioner Zach Brooks and Commissioner Leslie Van Beek toured the County Extension/County Agent's Office this morning from 9:00 a.m. to 10:00 a.m. with COO Greg Rast, Facilities Director Rick Britton and staff from the University of Idaho County Extension/County Agent's Office. There were no motions, action items, or Board direction entertained or given.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 24, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Sunshine Window Cleaning in the amount of \$3795.00 for the Facilities department
- Delta Fire Systems in the amount of \$8356.45 for the Facilities department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Adam Isla, Deputy Sheriff 41006; Shelby Reece, Call Taker – dispatch 41012; Kimberly Dianne Sprenger, Customer Service Specialist – Booking 51005; Luis Angel, Deputy Sheriff, Inmate Control 51003; Miriam Cristina Mares Lozano, Customer Service Specialist – Driver’s License 41003; Darin Bradshaw, Deputy Sheriff – Patrol.

FAIRGROUNDS AND EXPO CENTER TOUR

Commissioner Zach Brooks and Commissioner Leslie Van Beek toured the County Fairgrounds and Expo Center this afternoon from approximately 1:00 p.m. to 2:30 p.m. with COO Greg Rast, Fair Director Diana Sinner. There were no motions, action items, or Board direction entertained or given.

JOINT MEETING WITH NAMPA CITY COUNCIL REGARDING NAMPA PROPOSED AREA OF IMPACT EXPANSION

The Board met today at 3:32 p.m. for a joint meeting with the City of Nampa regarding Nampa’s proposed area of impact expansion. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, DSD Office Manager Jennifer Almeida, COO Greg Rast, Nampa Mayor Debbie Kling, Nampa Sr. Planner Breanna Son, Nampa Principal Planner Doug Critchfield, Nampa Planning Director Rodney Ashby, Nampa Engineer Daniel Badger, Councilman Darl Bruner, Councilwoman Natalie Jangula, Councilman Victor Rodriguez, Keri Smith, George Crookham, other interested citizens, and Deputy Clerk Monica Reeves. The agenda topics were as follows:

- Introductions
- Overview of Idaho State Law/Process- Area of Impact– (Dan Lister, DSD Planning Official)
- History of Nampa’s Public Outreach – (Breanna Son, Nampa Senior Planner)
- The Impact Area Proposal Including Proposed Land Uses – (Doug Critchfield, Nampa Principal Planner)
- Nampa’s assessment of the Proposal for Factors Required in Idaho State Law for Area of Impact- (Doug Critchfield, Nampa Principal Planner and Daniel Badger, Nampa Engineer)
- Questions and Discussion
- Next Steps

The Nampa planning staff gave a PowerPoint presentation on the expansion request.

Location:

West of the current area of city impact

North – Orchard Avenue

West and South – Lake Avenue to just west of Indiana Avenue to Deer Flat Wildlife Refuge

East – Midway to S. Midland to west of Highway 45

Size: 2,633 Acres

Area of City Impact (Current)	Proposed Area of City Impact Addition	Proposed Area of City Impact Total	Percentage Increase
45,872 acres	2,633 acres	48,505 acres	5.7%

Purpose:

To set a foundation for planning this area in greater detail in coordination with stakeholders, the County, and the City of Nampa. The AOI is an area that Nampa anticipates assuming responsibility for in the future; including the delivery of services. It is not an Urban Growth Boundary or Annexation Plan.

History:

The current Joint Powers Agreement between the City of Nampa and Canyon County was entered into in 2005.

The last time Nampa's AOI was proposed to be updated was in 2016. The 2016 proposal left out the area to the south, however, Nampa still showed that as a future planning area on their future I and use map. After negotiations Nampa and Caldwell agreed to swap several locations because of parcel boundary lines and the availability of services. Nampa, Caldwell, and Canyon County staff agreed to this proposal in 2016. The map shows Nampa's 2016 proposed AOI request: see three small areas towards the north that were swapped with Caldwell, and the areas to the west, and around the lake.

2016 Proposed AOI Expansion Result:

The only areas Nampa expanded to were the areas swapped with Caldwell and the area that made up Midway Park.

In 2016 Nampa's City Council denied the request to expand the AOI any further west.

In 2021 Nampa began the process of expanding their AOI after a year of public outreach, negotiations with the County, and several workshops with city council, and the P&Z Commission, staff proposed this map in a January 2022 hearing. The greater southern area was removed as a planning area and this smaller southern area was proposed along with areas to the west and around the lake. Based on public testimony and conversations with landowners in the area, specifically seed and farming industries, there were several ag overlays in that southern portion and it was decided it did not make sense for Nampa to go to the south at all.

Current Area of City Impact Expansion Request

- Nampa is requesting the same area as previously requested in 2016, with the exclusion of two County subdivisions north of the lake, at their request.

- The Nampa City Council approved this proposal in February 2023.

There was a review of the project timeline of Nampa's public outreach and coordination with Canyon County and neighboring municipalities.

Doug Critchfield reviewed the proposed land uses.

- **AG (Agricultural):** Rural, agricultural and large lot residential parcels or cluster with large open areas.
- Density: 1 or less dwelling units per acre (gross); cluster up to 2.5 DU/acre (gross), lots 4-8,000 sq. ft.
- **LDR (Low Density Residential):** Single-Family detached residential - less rural
- Density: 1.01 to 2.5 dwelling units per acre (gross).
- **RMU - (Residential Mixed Use):** Medium density residential and some neighborhood commercial/low-impact light industrial. Single-family detached, townhouses, duplexes, single-family live/work units, or residential with retail/commercial street level storefronts. The edges should be compatible with existing residential development.
- Density: 2.51 to 8 dwelling units per acre (gross). At least 5%, but no more than 50% of the gross in commercial and/or low impact light industrial.

Idaho Code, Section 67-6526 Area of City Impact Negotiation Procedure, Section 'b'

In defining an area of city impact, the following factors shall be considered:

- 1) Trade area
- 2) Geographic factors
- 3) Areas that can reasonably be expected to be annexed to the city in the future.
 - a. Current Nampa City Limits are located adjacent to, or within one mile of the proposed AOI expansion area. Development is moving in this direction.
 - b. In the past 5 years, there has been significant interest in developing this area. The density report to the right shows final plat approvals for the Q4 of 2022.

Review of Services the City of Nampa provides:

- Sanitary Sewer
- Domestic Water
- Pressure Irrigation

A copy of the PowerPoint presentation is on file with this day's minute entry.

Follow-up questions and a roundtable discussion ensued following the presentation.

- Importance of planning, coordination, and collaboration between the city and county.

- The term Ag doesn't mean the same thing to both jurisdictions. Have clarity on preservation of Ag land and be clear on what does that mean for the city vs the county?
 - The intent is to grow denser near the city in-fill and then slowing grow out
 - Does the city have a role in identifying an ag area? If so, another land use designation needs to be added.
- Dan Lister explained the process for the AOI expansion request.
- Renegotiation of the joint powers agreement.
- How will the 2040 comp plan work with the cities vision, how do we compromise and discuss some of the challenging issues?
- Need follow-up conversations with elected officials of the more recent sub-area plans Nampa has adopted.
- County's approval of subdivisions, and the cumulative effect of county-approved developments.

DSD staff asked if there is Board consensus to start the process for the hearings for the expansion area request. Commissioner Brooks said he has sufficient information to proceed. Commissioner Holton appreciates the public process that will have to go through the P&Z Commission because it will determine a lot of things. He requests there be clarity on the differentiation of the term *Ag*, as well as a short primer on what an area of impact means to the people who will be captured by it. Director Minshall said with joint direction it would be great for both groups to work together on that, and if they can get a continuum of what *Ag* means and the different densities, as well as what an area of impact is and what comes next. If a timeline can be created within the next 2-4 weeks they will then schedule a hearing with the P&Z Commission. The Board is agreeable to moving forward. The meeting concluded at 4:50 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 25, 2023

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Raising Our Bar to be used 5/5/23, 5/6/23, 5/7/23, 5/13/23, 5/19/23, 5/20/23, 5/21/23, 5/26/23, 5/27/23 and 5/28/23.
- The Board approved Idaho Liquor Catering Permits for County Line Wine Company LLC to be used 5/12/23 and 5/20/23.
- The Board approved an Idaho Liquor Catering Permit for The Crossings @ Yknot Winery to be used on 5/13/23.

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 and Brad Holton, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel (left at 9:46 a.m.), Deputy P.A. Oscar Klaas (left at 9:39 a.m.), Facilities Director Rick Britton (left at 9:39 a.m.), Lt. Brian Crawforth (left at 9:34 a.m.), Lt. Chad Harrold (left at 9:34 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Authorizing the Retirement of CCSO K9 Mina: Mina is 11 years old and has been in service for 9 years. Recently her mobility has become limited and it's the recommendation of CCSO that Mina be retired to her handler who will be taking over care. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution authorizing the retirement of CCSO K9 Mina (see resolution no. 23-060).

Consider Establishing FY23 Canyon County Preliminary Design Services Roster: Each submission has been reviewed by Director Britton and each have expertise in different areas. Seeing as each submission met the required criteria, all 8 will be included on the roster to be used for projects under \$50,000. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to accept the FY23 Canyon County Preliminary Design Services Roster. A letter has been drafted to be signed by the Board notifying each company of the acceptance.

Consider Agreement between Canyon County and Beniton Construction Company, Inc. to act as Construction Manager for Warehouse and Animal Shelter Project: After discussions between both parties this is the contract that has been agreed to. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the agreement between Canyon County and Beniton Construction Company, Inc. to act as Construction Manager for Warehouse and Animal Shelter Project (see agreement no. 23-048).

The action item of signing the agreement with SCS Field Services has been postponed to Friday, April 28, 2023 as the contract has not yet been returned.

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 9:39 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 Holton. A vote was taken on the motion with Commissioners Van Beek and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley and COO Greg Rast. The Executive Session concluded at 9:46 a.m. with no decision being called for in open session.

COO Rast updated the Board on the following projects being worked on between the Board and legal:

- ARPA MOU w/CCAD – Mr. Wesley is working on and is probably a couple weeks out.
- Draft resolution for meeting minutes is being worked on
- Resolution setting Fair fees – this is a couple weeks out; drafts documents are being reviewed by Director Sinner and legal
- Fair Advisory Board will be addressed after 2023 Fair
- Vehicle use policy – Mr. Rast is working on this
- PRR workflow – Mr. Rast is working on this and needs to get back with Ms. Klempel
- Insurance and claim handling workflow meeting happened recently with good cooperative efforts.

The meeting concluded at 9:50 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:30 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, DSD Office Manager Jennifer Almeida (left at 10:33 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution to issue a refund to Andrew D. Patton for a withdrawn temporary residence permit: Ms. Almeida explained this permit was applied for in March 2023 for use of an RV on the property. This is not typically allowed by the County and SWDH has concerns about the septic plan. Mr. Patton has indicated he will reapply once he's had a chance to work further with SWDH. Staff is recommending a refund of \$297.00. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution to issue a refund to Andrew D. Patton for a withdrawn temporary residence permit application (see resolution no. 23-061).

Consider resolutions granting alcoholic beverage licenses:

Consider resolution(s) granting renewal beer/liquor alcoholic beverage licenses to:

- Belle Event Center
- Hong Kong Restaurant
- Craft Lounge (Caldwell)
- Craft Lounge (Nampa)
- 1918 Lounge
- Italianesque
- Firehouse Sports Pub
- Nampa Elks Lodge #1389
- Outback Steakhouse

- Dos Caminos Mexican Restaurant

Commissioner Van Beek made a motion to approve the resolution for renewal beer/liquor alcoholic beverage licenses as listed. The motion was seconded by Commissioner Holton and carried unanimously. See resolution nos. 23-065, 23-066 and 23-068.

Consider resolution(s) granting renewal beer/wine alcoholic beverage licenses to:

- 208 Burger Q
- ItalianToGo Co.
- Taqueria Janitzio
- The Tackle Shop
- Nampa-ADI
- Holy Cow!
- Valhalla Pub
- The Vault 21 Club
- Vape (Nampa)
- Vape (Caldwell)
- Owyhee Motor Sales Inc.
- Little Saigon Vietnamese Restaurant
- Stinker Store #113, Stinker Store #108, Stinker Store #41, Stinker Store #60, Stinker Store #75, Stinker Store #44, Stinker Store #82, and Stinker Store #48
- Lakeshore Market
- Labyrinth Escape Games
- Bud's
- Campos Market Nampa
- The Undiscovered Barrel

Commissioner Van Beek made a motion to approve the resolution for renewal beer/wine alcoholic beverage licenses as listed. The motion was seconded by Commissioner Holton and carried unanimously. See resolution nos. 23-062, 23-063, 23-064 and 23-069.

Consider resolution granting a new beer/liquor alcoholic beverage license to:

- Palace Event Center

Commissioner Van Beek made a motion to approve the resolution for a new beer/liquor alcoholic beverage license for the Palace Event Center. The motion was seconded by Commissioner Holton and carried unanimously. See resolution no. 23-067.

The meeting concluded at 10:35 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY OTONIEL GUZMAN FOR A CONDITIONAL REZONE FROM A RURAL RESIDENTIAL ZONE TO A CONDITIONAL REZONE, SINGLE-FAMILY RESIDENTIAL ZONE, INCLUDING A DEVELOPMENT AGREEMENT, CASE NO. CR2022-0013

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Otoniel Guzman for a conditional rezone of Parcel R27939 from a "R-R" (Rural Residential) zone to a "CR-R-1" (Conditional Rezone - Single-Family Residential) zone, Case No. CR2022-0013. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner III Michelle Barron, DSD Planner I Maddy Vander Veen, Otoniel Guzman, Rudy Guzman, interested citizens, and Deputy Clerk Monica Reeves. DSD Planner Maddy Vander Veen gave the oral staff report. The request includes a development agreement that limits the number of divisions of the parcel. If approved the owner will proceed with an administrative land division application to divide the parcel into two parcels each being at least one acre. The 2.76-acre property is located at 73 N Robinson Road in Nampa and was created via an administrative land division in 2017. The applicant is proposing two parcels, one being 1-acre and containing the existing residence, and one being 1.75-acres. She reviewed the access, site photos and agency comments. The concept plan proposes an easement on the southern side of the subject property for access to Parcel B. A road users' maintenance agreement will be required prior to building permit issuance. The proposed plan aligns with three goals and six policies within the 2020 comprehensive plan, and it does not align with one goal and one policy. The current surrounding area is within a rural setting with productive farm land and residential parcels. Parcels to the north, south, and west are mostly zoned rural residential, while parcels to the east and south are mostly zoned agricultural, but there are also subdivisions within those agricultural areas. The average lot size within 600 feet of the property is 2.58 acres and the median lot size is 1.19 acres. There are 43 subdivisions within one mile of the subject property with an average lot size of 1.25 acres. The future land use designation is residential. The site is located within a nitrate priority area, and wells in the area have nitrate levels ranging from 0.005 to 5 mg per liter. City services are not available to this location. Parcel B would be served by individual domestic well and septic. The property is irrigated via well. On February 22, 2023 the Hearing Examiner recommended approval of the request subject to draft conditions contained in the development agreement which restrict division of the parcel to no more than two parcels, as well as conditions related to access and highway district requirements. Following her report, Ms. Vander Veen responded to questions from Commissioner Van Beek.

Rudy Guzman said they are seeking a rezone so they can obtain a building permit. They have received approval from the highway district and they are aware that if they add another property they will have to expand their entry and a maintenance plan will be required when they apply for a building permit. They are not running a business or doing anything agriculture-related on the property and it should not affect any future entries or subdivisions. If they get a permit they will demolish what needs to be done so it can be to code.

Zach Derkach lives near the subject property and offered neutral testimony regarding the current easement. He wants to know if it has to be updated prior to the property split approval, or does it happen after? Currently they have a 20 x 20 easement agreement for properties located at 65 and 73 N. Robinson and he wants to know how they proceed to update the agreement and when

should that be updated. Ms. Vander Veen said the road users' maintenance agreement will need to be updated and they would likely put a condition on the admin land division stating that they will need to update it prior to the C of O on the building permit for the house on Parcel B. (Condition No. 2C requires the road users' maintenance agreement prior to submittal of the administrative land division.) Commissioner Van Beek and Commissioner Brooks had questions regarding the shared access. Mr. Derkach said they have spoken to the Guzmans about getting something written for the shared access. Planner Vander Veen said road users' maintenance agreements are not required until the certificate of occupancy, but with the conditions on this case it would require it prior to the administrative land division. Mr. Derkach said wants a formal document stating this area is shared between the three properties as an access. He isn't necessarily looking for a financial compensation, but he wants conditions he can agree to. Commissioner Van Beek had follow-up questions and comments about the shared access.

Rebuttal testimony was offered by Rudy Guzman who said it's his understanding that before the permit gets assigned all of this has to be on paper. Commissioner Holton said that is correct and the easement has to be figured out and documented and agreed upon before the land is split. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Commissioner Holton would like more specificity on cases a city is opposing and the rationale behind the opposition as well as a statement about what the distance from the nearest public services they would have provided and estimate whether it's greater than 1 or 2 years before those services could be at the property in question. He said this is a frustrating area and he wants to work more in conjunction with the City of Nampa knowing this is going to be within the city limits in the near future so he wants to work together in a coordinated effort. Commissioner Van Beek said they are not in support of the application and given the distance from services it would be too costly to bear that cost. This area is scheduled to be residential and they wanted a pre-annexation agreement. Commissioner Holton understands the rationale, but in terms of both distance and time this is so far to public services the pre-annexation agreement is way before its time. Commissioner Van Beek supports the application and recommendation of the Hearing Examiner. The size of the lots are commensurate with the surrounding area and she recommends the Board approve the request with a development agreement. Commissioner Brooks wants to make sure the applicant understands there needs to be a paved apron and there will be maintenance and expenses that need to be figured out. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve Case No. CR2022-0013, a conditional rezone of Parcel R27939, which is approximately 2.76-acres from an "R-R" (Rural Residential) zone to a "CR-R-1" (Conditional Rezone - Single-Family Residential) zone subject to the conditions of a development agreement as presented in the staff report. (Ordinance No. 23-003 and Agreement No. 23-049.) The hearing concluded at 2:13 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Ed Campos, Journeyman HVAC; Bradley Banks, Journeyman HVAC; and Louis C. Munoz Arana, Juvenile Detention Officer.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Core & Main in the amount of \$30,660.89 for the Solid Waste department
- River Rock in the amount of \$12,510.00 for the Solid Waste department

CONSIDER SIGNING LEGAL SERVICES AGREEMENT WITH CASTLETON LAW, PLLC

The Board met today, April 26, 2023 at 10:03 a.m. to consider signing legal services agreement with Castleton Law, PLLC. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Carl Ericson, HR Director Kate Rice and Deputy Clerk Jenen Ross. Mr. Ericson explained that Castleton Law will work with the county specifically relating to the Idaho Human Rights complaint that was recently received regarding a hiring issue in the Development Services department. Additionally, Castleton Law will be able to represent the county if the case goes to litigation. Mr. Ericson noted that the agreement is for \$175/hour and that exhibit 'A' was missed and still needs to be initialed by Mr. Castleton which he will contact him about. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the legal services agreement with Castleton Law, PLLC (see agreement no. 23-050).

The meeting concluded at 10:08 a.m. and an audio recording is on file in the Commissioners' Office.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 27, 2023

APPROVED CLAIMS

- The Board has approved claims 594061 to 594093 in the amount of \$52,974.56

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

The Board met today, April 27, 2023 at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas (left at 9:35 a.m.), Facilities

Director Rick Britton (left at 9:35 a.m.), COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing legal notice and request for qualifications for Design/Engineering Services for the County Elections Building Project: This is the first step in the RFQ process for architectural design services. Once the architectural design is complete the CMGC process will begin. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the legal notice requesting qualification statements for design/engineering services for the County Elections Building Project. Commissioner Brooks made a secondary motion to sign the request for qualifications for design/engineering services for the County Elections Building project. The motion was seconded by Commissioner Holton and carried unanimously.

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 Brooks made a motion to go into Executive Session at 9:36 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 Holton. A vote was taken on the motion with Commissioners Brooks and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley and COO Greg Rast. The Executive Session concluded at 10:01 a.m. with no decision being called for in open session. The meeting concluded at 10:01 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER AGENDA ITEMS

The Board met today April 27, 2023 at 10:30 a.m. to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson (left at 10:33 a.m.), Clerk Chris Yamamoto, Controller Zach Wagoner, COO Greg Rast, Rachelle Klein with Republic Services, Hubert Osborne, Brent Orton with the City of Caldwell, Russ Shroll, Tom Points, Doug Amick with the City of Greenleaf, Sherri Amick, Dave Murray with Middleton City Council and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider FY23 Pickles Butte Sanitary Landfill Dust Control System Project Agreement with Desert View Construction Inc.: Following review of the solicitation of interest on this project, Desert View Construction Inc. was the low bidder that met all the required criteria with a bid amount of \$214,945.00. Mr. Ericson noted that in the 'Time of Performance' portion of the contract the original start date changed from April 24, 2023 to May 1, 2023 with a completion date to be no later than September 30, 2023. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the FY23 Pickles Butte Sanitary Landfill

Dust Control System project agreement with Desert View Construction, Inc. (see agreement no. 23-051).

Consider resolution appointing members to the SWAC: This Board will provide input and oversight in regard to the landfill and potential transfer station. The following people will be appointed as members of the SWAC:

District 1 – David Murray	2-year term expiring September 30, 2025
District 2 - Russ Shroll:	2-year term expiring September 30, 2025
District 3 – Hubert Osborne:	2-year term expiring September 30, 2025
Tom Points, City of Nampa:	2-year term expiring September 30, 2025
Brent Orton, City of Caldwell:	2-year term expiring September 30, 2024
Vacant-TBD, City of Middleton:	2-year term expiring September 30, 2024
Doug Amick, Parma/Wilder/Greenleaf:	2-year term expiring September 30, 2024

Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution appointing members to the SWAC (see resolution no. 23-070).

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

CONSIDER UPDATED ORDINANCE TO CORRECT LEGAL DESCRIPTION CONTAINED WITHIN ORDINANCE NO. 21-015 (CASE NO. CR2019-0016)

The Board met today, April 27, 2023 at 11:00 a.m. to consider an updated ordinance to correct legal description contained within ordinance no. 21-015 (Case no. CR2019-0016). Present were: Commissioners Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, DSD Planner Deb Root, DSD Planner Sage Huggins and Deputy Clerk Jenen Ross. This is a case from 2019 in which an error occurred in the legal description. In 2019, the applicant wanted to cut a small portion of a lot out because it relates to another parcel they owned that was not part of the greater project. It's a small section used as a dirt bike/go-kart track that goes from their main lot into their secondary lot that has since been resold. In the previous hearing the intention was to exclude this small portion from the rezone, it was never intended to be rezoned to residential, it was always meant to stay as agricultural. However, at the time the wrong legal description was used. Mr. Wesley explained that in talking with DSD staff he didn't feel it was necessary to go thru another hearing process because it was all in the original record that the intent was to exclude this small section. With the Board's approval of the amended ordinance a corrected legal description would go into effect which will remove the small parcel. Commissioner Brooks made a motion to sign the updated ordinance to correct the legal description contained within ordinance no. 21-015 relating to case no. CR2019-0016 for parcel no. R37629013A. the motion was seconded by Commissioner Holton and carried unanimously (see ordinance no. 23-004).

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today, April 27, 2023 at 11:06 a.m. to consider action items. Present were: Commissioners Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution(s) granting renewal beer/wine alcoholic beverage licenses to the following:

- County Line Wine Company
- McCain Pub
- Tacos El Reay Restaurant #5
- Idaho Pizza Co. (Idaho Center Blvd)
- Idaho Pizza Co. (Cleveland Blvd)
- Idaho Pizza Co. (W. Iowa)
- Super C

Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to approve the resolutions granting renewal beer/wine alcoholic beverage licenses as listed on the agenda (see resolution no. 23-072).

Consider resolution(s) granting renewal beer/liquor alcoholic beverage licenses to the following:

- Indian Creek Steakhouse
- La Michoacana
- OVG Hospitality (3rd Street)
- OVG Hospitality (Idaho Center Blvd)
- T.G.I. Friday's
- TNT's Dynamite Bar & Grill
- Chop Shop

Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to approve the resolutions granting renewal beer/liquor alcoholic beverage licenses as listed on the agenda (see resolution no. 23-071).

The meeting concluded at 11:08 a.m. and an audio recording is on file in the Commissioners' Office.

APRIL 2023 TERM

CALDWELL, IDAHO APRIL 28, 2023

MEETING TO CONSIDER AGENDA ITEMS

The Board met today, April 28, 2023 at 9:30 a.m. to consider agenda items. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Carl Ericson, Solid Waste Director David Loper (left at 9:33 a.m.), HR Director Kate Rice, COO Greg Rast and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider Agreement with SCS Field Services for Installation of Gas Collection System and Flare Station Components Project at the Pickles Butte Sanitary Landfill: Per Director Loper, this company does a lot of landfill engineering work. The contract is for \$2,614,806 and Director Loper recommends signing the contract; legal has reviewed this and feels this is the proper company. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the agreement with SCS Field Services for installation of gas collection system and flare station components project at the Pickles Butte Sanitary Landfill (see agreement no. 23-052).

The Board took a brief recess from 9:33 a.m. to 9:42 a.m. Once back on the record, the Board took up the following action item:

Consider Release Agreement for the Weed and Pest Department: This agreement has been reviewed by HR and legal and both are supportive of it. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the release agreement for the Weed and Pest department (see agreement no. 23-053).

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

DETENTION CENTER INSPECTION CONDUCTED

The Board conducted a quarterly inspection of the detention center. The Board evidenced proper care and security and the inmates' welfare throughout the facility. General grievances were filed and have been processed in accordance with standard procedures. A copy of the completed tour/inspection form is on file with this day's minute entry.

MAY 2023 TERM

CALDWELL, IDAHO MAY 1, 2023

There were no meetings held this day.

APPROVED CLAIMS

- The Board has approved claim 594202 ADV in the amount of \$111.83
- The Board has approved claims 594295 to 594333 in the amount of \$2,138,557.10

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$1538.24 for the Information Technology department
- Apex in the amount of \$4592.79 for the Facilities department

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for The Getaway to be used 5/4/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Jamie Siewert, Temporary Elections; Andres Del Hoyo, Part-time Weed and Gopher; Jesus Zambrano, TCA Staff Attorney; Steven Roberts, Deputy Sheriff – Patrol 41006.

MAY 2023 TERM

CALDWELL, IDAHO MAY 2, 2023

FILE IN MINUTES

The Board filed the Treasurer's monthly report for March 2023 and the quarterly report for January 1, 2023 to March 31, 2023. The Board also filed the Sheriff's Office uncollectible delinquent personal property taxes for 2022.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Justin Scott, Sergeant – Training 41002; Robert Villegas, Deputy Judicial Marshal; Rafael Sanchez, Deputy Judicial Marshal; Francis Harper, Housekeeper; and Ruth Natibura, Housekeeper.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Alarm in the amount of \$6378.03 for the Facilities department

LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS

The Board met today at 9:34 a.m. for a legal staff update and to consider action items. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Chief Civil

Deputy PA Carl Ericson, Deputy PA Zach Wesley, Parks Director Nicki Schwend, HR Director Kate Rice, and Deputy Clerk Monica Reeves. The action items were considered as follows:

Consider resolution reappointing members to the George Nourse Gun Range Advisory Board -

Director Schwend updated the Board on plans to reactivate the gun range advisory board as well as her recommended appointments of the three past members who are interested in serving. Director Schwend plans to conduct interviews for two additional members. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to reappoint the following to the George W. Nourse Gun Range Advisory Board:

- Robert Sobba: 4-year term
- James Nuzzo: 4-year term
- Mathew Andrew: 4-year term

On May 17, 2023 the Board plans to tour the gun range and Celebration Park.

Consider the request for reconsideration for Case No. SD2021-0040, the Red Cow Fold Subdivision; written decision may follow -

Deputy PA Zach Wesley said a request for reconsideration was filed by Jeff Kiester on March 7, 2023 on the preliminary plat for Red Cow Fold Subdivision where he asked the Board to reconsider specific findings made in the February 21, 2023 written decision. Mr. Kiester is the son of an adjoining property owner and there is an easement that would access the Red Cow Fold property that crosses his mother's property and that is his primary concern. The information was brought up at the original hearing and considered. Mr. Kiester's point is about the legal ownership of the easement and his assertion that the easement is not properly documented, or finalized, or doesn't exist, but that is not something the Board has adjudicatory authority over. Mr. Kiester's second point is about the standards for the roadway and his assertion is that it's over 100 average daily trips and would require improvement. That was not the opinion of the applicants' engineer or the County engineer, but it's not an issue that would be resolved at the preliminary plat phase, that is a Director's decision-level determination. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to approve the response provided by Legal. The signed decision is on file with this day's minute entry.

At 9:44 a.m. as part of the legal staff update, the Board went into Executive Session as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 9:45 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) to discuss a personnel matter; records exempt from public disclosure; and to communicate with Legal Counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks and a vote was taken with all three Commissioners voting to enter Executive Session. The

motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, COO Greg Rast, and HR Director Kate Rice. The Executive Session concluded at 10:45 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 DISCUSS INDIGENT SERVICES CASE MANAGER/BOARD OF COMMUNITY GUARDIANS POSITION

The Board met today at 10:46 a.m. to discuss the Indigent Services Case Manager/Board of Community Guardians position. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Indigent Services Director Yvonne Baker, Case Manager Kelly George, HR Director Kate Rice, HR Generalist Kendra Elgin, COO Greg Rast, and Deputy Clerk Monica Reeves. The Clerk's Office is proposing to take the currently funded vacant Accountant position and transition it into an Indigent Case Management/Board of Community Guardians Specialist position to help meet the needs for the wards. It would be the job that is currently being performed by Kellie George but it would not necessarily be an oversight of all 40 wards as there are guardians and board members that are overseeing/following a number of wards. Commissioner Van Beek had questions about the pay range and Director Baker spoke of how she believes the range is appropriate to attract a qualified person. HR Generalist Kendra Elgin spoke of the changes that were made to the revised job description that incorporated duties such as visiting facilities of clients, helping with wellness checks and advocating for their needs, making sure that wards who are in facilities are getting proper medical treatment, shopping for items the wards may need and making sure the required reports are completed and filed timely. The job is very similar to the job Kellie George is doing so they kept the pay range the same. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the resolution to change the job title, job description, and salary range of one (1) position in the Clerk's Office for the fiscal year 2023: One (1), Accountant in Auditing, salary range: \$50,960.00 Min – \$60,642.40 Mid – \$70,324.80 Max; Position Control Number: 001 201 465, FLSA: Exempt, to One (1), Case Manager in Indigent Services, salary range: \$43,680.00 Min – \$51,979.20 Mid – \$60,278.40 Max; Position Control Number: 030 268 465, FLSA: Non-Exempt. (Resolution 23-074.) The meeting concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board met today at 11:02 a.m. to consider resolutions granting renewal beer/wine/liquor alcoholic beverage licenses. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolutions granting renewal for beer/liquor alcoholic beverage licenses to:

- Best Western Plus
- Kickback Bar
- Roots and Company
- The Tower Grill
- Jak*s Place Neighborhood Grill
- Holiday Inn
- The Getaway
- Mesa Tacos & Tequila
- Hispanic Cultural Center of Idaho
- Garbonzo Pizza
- La Copa
- Stewart's Bar & Grill

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolutions granting renewal for beer/wine alcoholic beverage licenses to:

- Maverik #287, Maverik #661, Maverik #595, Maverik #551, Maverik #430, Maverik #178, Maverik #522
- East Cleveland Beverage
- Bi-Mart #614
- Big Smoke #102, Big Smoke #109, Big Smoke #113, Big Smoke #115
- Tobacco Connection #1, Tobacco Connection #6, Tobacco Connection #12, Tobacco Connection #16, Tobacco Connection #22, Tobacco Connection #23, Tobacco Connection #23, Tobacco Connection #32, Tobacco Connection #37
- WINCO Foods #114, WINCO Foods #11
- Mother Earth Micro Brews
- The Orchard House
- Krung Thai Restaurant
- Smashburger #1588
- JP Thailand Express
- Fairview Golf Course
- Purple Sage Golf Course
- LaRosita Mexican Store
- Pantera Market #44
- Fairfield Inn & Suites

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolutions granting renewal for beer alcoholic beverage licenses to:

- Tacos Colimas

- Mi Tierra

Resolutions No. 23-074a, 23-075, 23-076, 23-077, 23-078, 23-079, 23-080, 23-081, 23-082, 23-083, 23-084, 23-085 are on file with this day's minute entry. The meeting concluded at 11:04 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER AGENDA ITEM

The Board met today at 1:30 p.m. to consider an agenda item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast, HR Director Kate Rice, HR Generalist Cindy Lorta, Chief Deputy Sheriff Doug Hart, CCSO Financial Manager David Ivers, Cpt. Ray Talbot, Assessor Brian Stender (arrived at 1:33 p.m.) and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider resolution approving a change in job title, job description and salary for one (1) position in the Sheriff's Office: Chief Hart and Cpt. Talbot provided a background on how training has been handled by just one person in recent years within the Sheriff's Office and how POST is requiring some very specific training for officers in order to retain certifications. CCSO is no longer able to maintain training standards being handled by one person and would like to reclassify a Deputy Sheriff position to a Sergeant to assist with training. Chief Hart addressed Commissioner Van Beek's questions relating to budget impacts of this change. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving a change in job title, job description and salary for one (1) position in the Sheriff's Office (see resolution no. 23-086).

The meeting concluded at 1:37 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH THE ASSESSOR TO CONSIDER SITE IMPROVEMENT EXEMPTION APPLICATIONS

The Board met today at 2:00 p.m. with the Assessor to consider site improvement exemption applications. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assessor Brian Stender, Chief Deputy Assessor Joe Cox (arrived at 2:03 p.m.) and Deputy Clerk Jenen Ross. The exemption applications were considered as follows:

Consider the following site improvement exemption applications:

- Mason Creek Grove #1
- Waterford #1
- Franklin Village North #1
- Rosehaven #3
- Rosehaven #4

Assessor Stender explained these exemptions are due to a slowdown in the market. All the subdivision parcels are in the original developers' name but once the parcel is sold the exemption would go away. Assessor Stender sees nothing that would prohibit the Board from approving these exemptions and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant exemptions on the subdivisions as noted on the agenda and presented by Assessor Stender.

The meeting concluded at 2:04 p.m. and an audio recording is on file in the Commissioners' Office.

MAY 2023 TERM

CALDWELL, IDAHO MAY 3, 2023

No meetings were held this day.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- 1000 Bulbs in the amount of \$4496.40 for the Facilities department

APPROVED PAYROLL MAY 5, 2023

The Board approved the May 5, 2023 payroll in the amount of \$2,332,174.43

APPROVED CLAIMS

- The Board has approved claims 594203 to 594214 in the amount of \$2,426.50
- The Board has approved claims 594215 to 594248 in the amount of \$69,573.39
- The Board has approved claims 594249 to 594294 in the amount of \$60,888.68
- The Board has approved claims 594335 to 594374 in the amount of \$114,828.61
- The Board has approved claims 594375 to 594414 in the amount of \$43,312.65
- The Board has approved claims 594434 to 594465 in the amount of \$361,241.24
- The Board has approved claims 594415 to 594433 in the amount of \$18,931.01
- The Board has approved claim 594449 in the amount of \$909.15
- The Board has approved claims 594466 to 594497 in the amount of \$66,106.15
- The Board has approved claims 594498 to 594542 in the amount of \$42,258.26
- The Board has approved claims 594543 to 594586 in the amount of \$34,296.74
- The Board has approved claims 594587 to 594628 in the amount of \$95,952.04
- The Board has approved claims 594629 to 594660 in the amount of \$26,784.15
- The Board has approved claims 594661 to 594664 in the amount of \$1,088.00

- The Board has approved claims 594665 to 594674 in the amount of \$11,539.27

MAY 2023 TERM

CALDWELL, IDAHO MAY 4, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Uline.com in the amount of \$8847.41 for the Elections office
- Dell in the amount of \$4004.80 for the Information Technology department
- Hess Construction in the amount of \$2000.00 for the Facilities department
- ACCO Engineered in the amount of \$3876.00 for the Facilities department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Cole Morris, Hazardous Waste Screener; Mathew Warren, Juvenile Detention Officer; and Randall DeJong, System Administrator.

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

The Board met today at 9:33 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Commissioner Zach Brooks (arrived at 10:00 a.m.), Chief Deputy P.A. Carl Ericson (left at 10:02 a.m.), Deputy P.A. Zach Wesley (left at 10:02 a.m.), Cpt. Chuck Gentry (left at 9:38 a.m.), Facilities Director Rick Britton (left at 9:53 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Destruction of Canyon County Sheriff's Office Dispatch Recording Equipment: Two dispatch servers have been upgraded and are no longer necessary. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution designating surplus personal property with nominal value and authorizing the destruction of Canyon County Sheriff's Office dispatch recording equipment (see resolution no. 23-087).

Director Britton brought to the Board's attention that he is starting the process of evaluating fees for the Weed and Pest department. He has recently spoken with Ada County and an entity in Payette County about their fees and how they operate to gain additional information. Currently the rates that Canyon County is charging often doesn't cover all the county expenses. The Board is supportive of Director Britton continuing to move forward and working with legal in evaluating fees. They want to see county fees coving expenses and not having to be subsidized by county

taxpayers or to be in competition with private entities. Additional discussion ensued regarding unpaid invoices and possible options for collection.

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

EXECUTIVE SESSION – PERSONNEL MATTERS, ACQUISITION OF AN INTEREST IN REAL PROPERTY, 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 9:53 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (c), (d) and (f) regarding personnel matters, acquisition of an interest in real property, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton. A vote was taken on the motion with Commissioners Van Beek and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley and COO Greg Rast. Commissioner Zach Brooks arrived at 10:00 a.m. The Executive Session concluded at 10:02 a.m. with no decision being called for in open session.

Consider resolution(s) granting renewal beer/wine alcoholic beverage licenses to:

- ***Mongolian Fire Grill***

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a renewal beer/wine alcoholic beverage license to Mongolian Fire Grill (see resolution no. 23-089).

Consider resolution(s) granting renewal beer/liquor alcoholic beverage licenses to:

- ***Ridgecrest Golf Club***
- ***Smoky Mountain Pizzeria Grill***

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a renewal beer/liquor alcoholic beverage license to Ridgecrest Golf Club and Smoky Mountain Pizzeria Grill (see resolution no. 23-23-088).

The meeting concluded at 10:05 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS UNDER CODES: 63-602P, 602W, 602D, 602P, 602B, 602C, 602E, 602GG, AND 50-2014

The Board met today at 10:34 a.m. with the Assessor's Office to consider various and renewing property tax exemptions. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach

Brooks, Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, COO Greg Rast and Deputy Clerk Jenen Ross. The exemptions were considered as follows:

Urban renewal 50-2014

Nampa Development Corporation, PINs: 13601000 0, 13415011 0 and 13415000 0

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the exemptions.

Religious 63-602B

61111016 0	Praise Inc
61111020 0	Refuge Counseling Center LLC
61111002 0	Salt & Light Catholic Radio
64941674 0	Educational Media Foundation
61111005 0	KTSY Radio Station
18988000 0	Bible Believers Fellowship LLC
35252000 0	Salt and Light Radio Inc
28875000 0	Greenhurst Bible Church Inc
31408000 0	Karcher Church of The Nazarene Inc
76061000 0	Karcher Church of The Nazarene Inc
19940000 0	Iglesia Evangelica Mexicana De Wilder Inc
32135000 0	Messiah Evangelical
73481000 0	Messiah Lutheran Church
31355010 0	Maranatha Romanian Church of God No 10953
18987000 0	First Presbyterian Ch
07347000 0	First Church of Christ Scientist
26438000 0	Jehovahs Witnesses Inc Nampa East Congregation
26436000 0	Jehovahs Witnesses Nampa East Congregation
07275000 0	Northwest Latin Conference of The International Pentecostal
16765000 0	Nampa Ch of Christ
33715011 0	Homedale Church of Nazarene
02033000 0	Spanish Assemblies of God Church Rosa De Saron
02016000 0	Assembly of God Ch Central Latin American Dist Council
35666000 0	Church of Christ Cald Inc
37012000 0	Free Holiness Church
37021000 0	Free Holiness Church
34174000 0	Franklin Community Ch Inc
15502000 0	Church of The Living God Inc
08833000 0	Ch Of the Nazarene
13490010 0	Involve Church Inc
38749010 0	Launch Pad Parma
04222000 0	Canyon Hill Ch of Nazarene
04221000 0	Canyon Hill Ch of Nazarene
04255000 0	Canyon Hill Ch of Nazarene
04218000 0	Canyon Hill Ch of Nazarene

37691000 0	Sandhollow First Baptist
35080000 0	Evergreen Heights
29527000 0	Southside Blvd Methodist
19936000 0	Calvary Holiness Church Inc
19928000 0	Golden Gate Baptist Ch
00330000 0	First Regular Baptist Inc
08712000 0	Ch Of God Prophecy
32096000 0	Lakeview Bible Church Inc
00087000 0	New Life Bible Fellowship Inc
06161000 0	First Baptist Ch-Ca
31478010 0	Church of God of Prophecy
34536000 0	Oregon Trail Ch Of God Inc
35797000 0	Christian Faith Center Assembly of God Inc
32003000 0	Christian Faith Center Assembly of God Inc
35133000 0	Valley Pentecostal Church Inc
01112011 0	Jehovahs Witnesses Inc N Caldwell Congregation
31064106 0	Cross of Christ Evangelical Lutheran Church Inc
30381000 0	Fellowship Baptist Church Inc
13570000 0	New Direction Inc
13530000 0	New Direction Inc
13718000 0	Olivet Assembly Inc
13715000 0	Olivet Assembly Inc
15426010 0	Olivet Assembly Inc
01414000 0	Treasure Valley Christian Center Inc
29179000 0	Corp Of Presiding Bishop
20157000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
23934019 0	Corp Of Presiding Bishop of Jesus Christ of LDS
25279011 0	Corp Of Presiding Bishop of Jesus Christ of LDS
29729000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
30666011 0	Corp Of Presiding Bishop of Jesus Christ of LDS
31065000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
32041010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
32400000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
10954000 0	Evangelical Lutheran Zion Ch of Na
05799000 0	Jehovahs Witnesses Caldwell Idaho Inc Central Congregation
32273000 0	Sunnyridge Assembly of God
32007000 0	First Congregational Church United Church of Christ Nampa Inc @@
13439000 0	Bible Pentecostal Church Inc
13441000 0	Bible Pentecostal Church Inc
13443000 0	Bible Pentecostal Church Inc
70230000 0	Bible Missionary Church of Greenleaf Idaho Inc
36165000 0	Bible Missionary Church of Greenleaf Inc
31999000 0	Trinity Evangelical Luth Ch
10993000 0	College Church of The Nazarene Inc

11204000 0	College Ch Of the Nazarene
11200000 0	College Ch Of the Nazarene
11205000 0	College Ch Of the Naz Inc
18689000 0	Middleton Ch Of Naz Inc
01413000 0	Treasure Valley Christian Center Inc
02759000 0	Treasure Valley Christian Center Inc
32334100 0	Roman Catholic Diocese of Boise
31822011 0	Roman Catholic Diocese of Boise
24564010 0	Roman Catholic Diocese of Boise
17607020 0	Roman Catholic Diocese of Boise
17503000 0	Roman Catholic Dioc Of Boise Melba Church
18975000 0	Roman Catholic Dioc Of Boi Sacred Hearts of Jesus Mary Church
32334000 0	Roman Catholic Diocese of Boise
17502000 0	Roman Catholic Diocese of Boise
16238000 0	Roman Catholic Diocese of Boise
15617000 0	Roman Catholic Dioc Of Boise St Pauls Church
04152000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
29411100 0	Corp Of Presiding BishOp
34356011 0	Corp Of Presiding Bishop Church of Jesus Christ of LDS
34366201 0	Corp Of Presiding Bishop Church of Jesus Christ of LDS
34443011A0	Corp Of Presiding Bishop Church of Jesus Christ of LDS
32419253 0	Corp Of Presiding Bishop-Church of Jesus Christ of LDS
32900101 0	Corp Of Presiding Bishop Of
34324000 0	Corp Of Pres Bis Of the Church of Jesus Christ of LDS
25279000 0	Corp Of Pres Bis Of the Church of Jesus Christ of LDS
25279010 0	Corp Of Presiding Bishop Of
14926000 0	Corp Of Presiding Bishop
00631000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
00632000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
01367000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
01368000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
01369000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
01379000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
04100010A0	Corp Of Presiding Bishop of Jesus Christ of LDS
08988000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
19148000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
16101000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
16195000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
14096000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
38686011A0	Corp Of Presiding Bishop of Jesus Christ of LDS
34349100 0	Corp Of Presiding Bishop of Jesus Christ of LDS
34513011 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33912000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33945011 0	Corp Of Presiding Bishop of Jesus Christ of LDS

32558010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
32566010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
24709010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
28688000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
29336013A0	Corp Of Presiding Bishop of Jesus Christ of LDS
20155000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33945000 0	Canyon Springs Christian Church Inc
33946000 0	Canyon Springs Christian Church Inc
17993000 0	Methodist Church
15459000 0	Sovereign Grace Fellowship of Nampa Inc
35391000 0	First Methodist Ch Of Cald
35389000 0	First Methodist Ch Of Cald
35395000 0	First Methodist Ch Of Cald
32001010A0	Grace Bible Church Inc
23113000 0	Calvary Chapel of Nampa
23118000 0	Calvary Chapel of Nampa Inc
31395000 0	Calvary Chapel Nampa Inc
23112000 0	Calvary Chapel of Nampa Inc
31394000 0	Calvary Chapel Nampa Inc
08807000 0	Apostolic Way Inc
33388000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33395010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33400010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33401000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33408000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33409000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33472000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33483000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
01136000 0	Apostolic Assembly of The Faith in Christ Jesus
01143000 0	Apostolic Assembly of The Faith in Christ Jesus
37097000 0	Wilder Assem Of God Ch
74415000 0	Crossroads Assembly of God
30895000 0	Midland Congregation of Jehovahs Witnesses Nampa Id Inc
17769000 0	First Baptist Church of Middleton
18469000 0	First Baptist Church of Middleton
17779000 0	First Baptist Church of Middleton
32186010 0	First Romanian Church Inc
33158000 0	Free Methodist Church of North America
01772000 0	Calvary Chapel Caldwell Inc
04513102 0	Church of God Inc
04865000 0	Antioch Miss Baptist Ch
08588000 0	Good News Community Church Inc
18857000 0	First Baptist Church of Notus Inc
02157000 0	Church of God of Caldwell Inc

11081000 0	Nampa 1st Southern Bapt Ch
32596000 0	First Ch Of the Nazarene
15216000 0	Southern Idaho District Council of The Assemblies of God
38996000 0	First Baptist Church of Roswell
33670010 0	Homedale Friends Comm Church
12514000 0	Ch of the Nazarene
02653000 0	Assembly of God Ch of Ca
02657000 0	Assembly of God Ch of Ca
13034011 0	Nampa First Assembly of God of The City of Nampa Idaho Inc
01342000 0	Boone Memorial Presbyterian Church Inc
01354000 0	Boone Memorial Presbyterian Church of Caldwell Idaho Inc
01353000 0	Boone Memorial Presbyterian Church Inc
35436000 0	First Friends Church of Caldwell Inc
02815545 0	NW District Bible Missionary Church
02709000 0	Protestant Episc Ch Of Id
11133000 0	Greater Life Church Inc
11134000 0	Greater Life Church Inc
17047000 0	Bowmont Ch of the Bretheren
17048000 0	Bowmont Ch of the Bretheren
17042000 0	Church of The Brethren
19565000 0	Revival Center Ch Inc
04778000 0	New Life Celebration
04774000 0	New Life Celebration
01577000 0	Church of God Apostolic of Id
04656000 0	Calvary Temple Inc
04657000 0	Calvary Temple Inc
67274100 0	Celebration Life Church Inc
36264000 0	Greenleaf Friends Church
36263010 0	Greenleaf Friends Church
36242000 0	Greenleaf Friends Ch
36241000 0	Greenleaf Friends Ch
32923000 0	Followers of Christ Inc
32918000 0	Followers of Christ
24563000 0	First Southern Baptist Church of Caldwell Inc
14656000 0	Grace Tabernacle Inc
19367000 0	Parma Miss Baptist Ch
35616000 0	Grace Evangelical Lutheran
29233000 0	Bethel Ch Of the Nazarene
21150000 0	Buddhist Society of Idaho
09006000 0	The Church of The Rock Inc
09013000 0	The Church of The Rock Inc
29261011 0	General Assembly and Church of The First Born Inc
15216010 0	Jehovahs Witnesses Nampa Id Inc Lake Lowell Congregation
16040000 0	Wesleyan Holiness Ch of Na

78097000 0	Wesleyan Holiness Church
29578012 0	Lake Shore Dr Baptist Church Nampa
31454000 0	Harvest Life Ministries Inc
35746000 0	Caldwell Free Methodist Church Inc
19192000 0	Parma Ch Of the Nazarene
12158000 0	Ch of the Nazarene
08575000 0	Ch of the Nazarene
08573000 0	Ch of the Nazarene N Na Inc
31968000 0	First United Presbyterian
31971000 0	First United Presbyterian
14990002 0	West Valley Baptist Church Inc
31460000 0	Rock of the Christian And Missionary Alliance Inc
15234000 0	Lutheran Brethren Ch Na Inc
20007000 0	Church of God
33003011A0	United Reform Church of Nampa
17535000 0	Community Baptist Church of Melba Inc
13611000 0	International Church of The Foursquare Gospel
22961000 0	Teen Challenge International Pacific Northwest Centers
32097010 0	New Hope Baptist Church Inc
19191000 0	Church of Christ Of Parma Idaho Inc
61111009 0	Breath of Life Fellowship Inc
13681000 0	Grace Episcopal Ch Of Na
39122000 0	Serry Memorial Presbyterian Church Inc
39089010 0	Serry Memorial Presbyterian Church Inc
39123000 0	Serry Memorial Presbyterian Church Inc
29542011A1	Southside Blvd Methodist
14329000 0	Fairview Church of the Nazarene Inc
14327000 0	Fairview Church of the Nazarene Inc
14303000 0	Fairview Church of the Nazarene Inc
14301000 0	Fairview Church of the Nazarene @@
05096000 0	Ch Of God of Prophecy Regional Office Inc
25266000 0	La Iglesia De Dios Inc
05032000 0	Idaho Conference of Seventh Day Adventists Inc
28615014 0	Assemblies of God S Id Dist
27472000 0	Midway Bible Missionary Ch
78392000 0	First United Methodist Church
29230010 0	First United Methodist Ch
32510010 0	Centennial Baptist Ch Inc
22926000 0	Wat Idahophoxaiyaraam Inc
04001000 0	Idaho Conference of Seventh Day Adventists
24428010 0	Idaho Conference of Seventh Day Adventists Inc
38837117 0	Southern Idaho Corp of Seventh Day Adventists
38837011A0	Southern Idaho Corp of Seventh Day Adventists
09492010a0	Southern Idaho Corp of Seventh Day Adventists

09492010 0	Southern Idaho Corp of Seventh Day Adventists
09488000 0	Idaho Conference of Seventh-Day Adventists Inc
09491000 0	Southern Idaho Corp of Seventh Day Adventists
17902114 0	Idaho Conference of Seventh Day Adventists
25909000 0	Southern Idaho Corp of Seventh Day Adventists
12798000 0	Apostolic Assembly of Faith in Jesus Christ Inc
12829000 0	Rosa De Saron Pentacostal Holiness Church Inc
05176000 0	Cp Reformed Church Inc
05061000 0	Heritage Holiness Chapel Incorporated
09846000 0	First Church of The Nazarene
09825000 0	Nampa First Church of The Nazarene
09845000 0	First Church of The Nazarene
09824000 0	First Church of The Nazarene
13891000 0	First Church of The Nazarene
14950550 0	Nampa First Church of The Nazarene
13817000 0	First Church of The Nazarene
15436000 0	First Christian Ch
15437000 0	First Christian Ch-Na
15439000 0	First Christian Ch-Na
15441000 0	First Christian Ch-Na
17544000 0	Melba Friends Church Limited
17537000 0	Melba Friends Church Ltd
03686000 0	Faith Evan Luth Ch of Cald
03684000 0	Faith Evan Luth Ch of Cald
17607033 0	Canyon County Church of Christ Inc
27439000 0	First Christian Church of Caldwell Db
27440000 0	First Christian Church of Caldwell Db
31440010A0	Church of The Brethren Inc
31793399 0	Crossroads Community Church Inc
31793395 0	Crossroads Community Church
31793394 0	Crossroads Community Church Inc
03685000 0	Treasure Valley Christian
02091000 0	Iglesia Misionera Pentecostes Inc
02092000 0	Iglesia Misionera Pentecostes Inc
02090011 0	Iglesia Misionera Pentecostes Inc
73546000 0	The Way Assembly of God Inc
17999000 0	Way Assembly of God Inc
16034010 0	Mennonite Church
16270500 0	New Covenant Baptist Church
15228000 0	Roman Catholic Diocese of Boise
15227000 0	Roman Catholic Diocese of Boise
14302000 0	Fairview Church of The Nazarene Inc

Commissioner Van Beek made a motion to approve exemptions for the 297 parcels listed above under Idaho Code 63-602B. The motion was seconded by Commissioner Brooks and carried unanimously.

63-602D Hospital

64941099 0	Birkeland Maternity Center & Heart Care Center
64940656 0	General Surgery Nampa
64937538 0	Mercy Physician Cardiology
64940645 0	Nampa Hospital
64940652 0	NHP Occ Med
64940651 0	NHP Stars
64940654 0	NHP Wound Hyperbaric
64941585 0	Saint Alphonsus Emergency Department Neighborhood Hospital
64941628 0	Saint Alphonsus Physician Admin Offices
64935408 0	Saint Alphonsus Physician Services Inc
64940734 0	Saint Alphonsus Regional Medical Center Stars
64940655 0	Samg Nampa Ob Gyn
64941293 0	St Alphonsus Medical Center Karcher Clinic
64932721 0	St Alphonsus Physician Serv Inc
64941896 0	St Lukes Cancer Treatment Center
64940186 0	St Lukes Regional Medical Center
60664500 0	St Lukes Regional Medical Center
64940185 0	St Lukes Regional Medical Center
64940243 0	St Lukes Regional Medical Center
64941410 0	St Lukes Regional Medical Center
64941482 0	St Lukes Regional Medical Center
64941492 0	St Lukes Regional Medical Center
64941625 0	St Lukes Regional Medical Center
64941624 0	St Lukes Regional Medical Center
64941679 0	St Lukes Regional Medical Center
64936391 0	St Lukes Regional Medical Center Ltd
64937764 0	St Lukes Regional Medical Center Ltd
01648000 0	St Lukes Regional Medical Center Ltd
31112010 0	Saint Alphonsus Medical Center
31084000 0	Saint Alphonsus Medical Center Nampa Inc
31084012A0	Saint Alphonsus Medical Center Nampa Inc
31095000 0	Saint Alphonsus Medical Center Nampa Inc
31104011 0	Saint Alphonsus Medical Center Nampa Inc
31104012 0	Saint Alphonsus Medical Center Nampa Inc
31096000 0	Saint Alphonsus Medical Center Nampa Inc
31098000 0	Saint Alphonsus Medical Center Nampa Inc
31099000 0	Saint Alphonsus Medical Center Nampa Inc
31099010 0	Saint Alphonsus Medical Center Nampa Inc
31100000 0	Saint Alphonsus Medical Center Nampa Inc
30995000 0	St Lukes Regional Medical Center Ltd

30995011B0	St Lukes Regional Medical Center Ltd
01649000 0	St Lukes Regional Medical Center Ltd
30995011 0	St Lukes Regional Medical Center Ltd
30995011F0	St Lukes Regional Medical Center Ltd
30995012 0	St Lukes Regional Medical Center Ltd
01646010 0	St Lukes Regional Medical Center Ltd

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemptions on 63-602D on each of the 46 parcels as noted above.

63-062E Education

29567011 0	Liberty Charter School Inc
36241010 0	Greenleaf Friends Church
76062000 0	Greenleaf Friends Academy
36822011 0	Canyon Owyhee School Service Agency
31535010 0	Nampa Christian Schools Inc
31539000 0	Christian Schools Foundation of Nampa Idaho Inc
31448010 0	Nampa Christian Schools Inc
31537010 0	Nampa Christian Schools Inc
31533000 0	Nampa Christian Schools Inc
29454010A0	Legacy Public Charter School Inc
29567011A0	Victory Charter School Inc
02287000 0	Elevate Academy Inc
32121000 0	Gem Prep Nampa LLC
13034012 0	Idaho Arts Charter School
13034013A0	Idaho Arts Charter School
13034011A0	Idaho Arts Charter School Inc
08631000 0	Idaho Arts Charter School
08890000 0	Idaho Arts Charter School
08891000 0	Idaho Arts Charter School
08900000 0	Idaho Arts Charter School
08901000 0	Idaho Arts Charter School
08991000 0	Idaho Arts Charter School
32716000 0	Idaho Conference of Seventh Day Adventists Inc
00925000 0	Idaho Conference of Seventh Day Adventists@@
32717010 0	Idaho Conference of Seventh Day Adventists Inc
34113000 0	Western Idaho Community Action Programs Inc
02530536 0	Western Idaho Community Action Partnerships Inc
19863000 0	Western Idaho Community Action Program Inc Head Start
11504000 0	Evan Luth Zions Cong Of The
35723012 0	Heritage Community Charter School Inc
11201000 0	Northwest Nazarene University Inc
11633000 0	Northwest Nazarene University Inc
11189000 0	Northwest Nazarene University Foundation Inc

13025112 0	Northwest Nazarene University Inc
11194000 0	Northwest Nazarene University Inc
11188000 0	Northwest Nazarene University Inc
11246000 0	Northwest Nazarene University Inc
11194014 0	Northwest Nazarene University Inc
11194013 0	Northwest Nazarene University Inc
11194011 0	Northwest Nazarene University Inc
11194012 0	Northwest Nazarene University Inc
11007000 0	Northwest Nazarene University Inc
11178000 0	Northwest Nazarene University Inc
11180000 0	Northwest Nazarene University Inc
11181000 0	Northwest Nazarene University Inc
11184000 0	Northwest Nazarene University Inc
11194010 0	Northwest Nazarene University Inc
34320000 0	Vision Charter School Inc
32504100 0	3900 Overland LLC
34795011 0	Mosaics Public School Inc
00838000 0	College of Idaho Inc
00841000 0	College of Idaho Inc
00842000 0	College of Idaho Inc
00843000 0	College of Idaho Inc
00845000 0	College of Idaho Inc
00851000 0	College of Idaho Inc
03820000 0	College of Idaho Inc
03955000 0	College of Idaho Inc
03956000 0	College of Idaho Inc
07216000 0	College of Idaho-Campus
07311000 0	College of Idaho
07314000 0	College of Idaho

Commissioner Van Beek made a motion to grant exemptions on the 62 parcels as listed above under Idaho Code 63-602E. The motion was seconded by Commissioner Brooks and carried unanimously.

63-302B Religious

Praise Chapel Christian Fellowship, PIN 16699000 0

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemption.

Iglesia Nueva Esperanza Corp, PIN 04945000 0

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemption.

Messiah Evangelical Lutheran Church Inc., PIN 32134100 0

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemption.

Eagle Christian Church Inc., PIN 30973000 0

Commissioner Van Beek made a motion to approve a 5-acre exemption. The motion was seconded by Commissioner Holton and carried unanimously.

Boone Memorial Presbyterian Church of Caldwell Idaho Inc., PIN 01341000 0

Commissioner Van Beek made a motion to grant a partial exemption. The motion was seconded by Commissioner Brooks and carried unanimously.

Fargo Community Church, PINs 37169000 0 and 75203000 0

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

Treasure Valley Free Church, PINs 01647000 0, 01447010 0, 01442000 0 and 01443000 0

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

TV Christian Church, PINs 03678010 0 and 03683000 0

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to deny the exemptions.

63-602C Charitable

Idaho Youth Ranch, PIN 64941948 0

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the exemption.

Treasure Valley Transit Inc., PIN 29190000 0

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemptions.

Community Health Clinics dba Terry Reilly, PINs 13339000 0, 64941937 0 and 64941936

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemptions.

Elevate Academy Foundation, PINs 00083103 0, 00083100 0, 00083101 0 and 00083102 0

Commissioner Van Beek made a motion to grant exemptions on PINs 00083100 0, 00083101 0 and 00083102 0 and deny the exemption for PIN 00083103 0. The motion was seconded by Commissioner Brooks and carried unanimously.

63-602D Hospitals

St. Lukes Nampa Medical Center LTD, PIN 32043142 0

Commissioner Van Beek made a motion to grant the exemption for the building and deny the exemption for the land. The motion was seconded by commissioner Brooks and carried unanimously.

63-602E Education

Nampa Christian Schools Inc., PINs 31533011 0, 31534000 0 and 31533010 0

Commissioner Van Beek made a motion to grant exemptions on all three parcels. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 11:17 a.m. An audio recording is on file in the Commissioners' Office.

COMMISSIONERS ATTENDING IDAHO STATE TAX COMMISSION BUDGET AND LEVY TRAINING WORKSHOP

The Board attended a budget and levy training workshop today from 1:30 to 4:30 p.m. The workshop was hosted by the Idaho State Tax Commission and was held at 11321 W. Chinden Boulevard in Boise. No Board action was required or taken.

MAY 2023 TERM

CALDWELL, IDAHO MAY 5, 2023

No meetings were held this day.

APPROVED CLAIMS

- The Board has approved claims 594675 to 594682 in the amount of \$2,176.00
- The Board has approved the April Jury claim in the amount of \$9,872.02

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Corwin Ford in the amount of \$46,670.00 for the Fleet Department
- Hess Construction in the amount of \$39,525.00 for the Facilities Department

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for Marissa Sandoval, Court Clerk.

AGVENTURE (AGRITOURISM) TOUR WITH DESTINATION CALDWELL

The Board attended the AgVenture (Agritourism) tour with Destination Caldwell from 11:00 a.m. to 4:00 p.m. No Board action was required or taken.

MAY 2023 TERM

CALDWELL, IDAHO MAY 8, 2023

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Kamryn Childs, Temporary Legal Support; and Addison Pennington, Temporary Legal Support.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Motorola Solutions in the amount of \$6,073.98 for the Trial Court Administrator
- Freeform in the amount of \$38,006.21 for the Trial Court Administrator
- VSL Microsoft/1105 Media in the amount of \$2,200 for the IT Department
- Hyatt Regency Bellevue in the amount of \$1,075.00 for the IT Department

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 1:34 p.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Coroner Jennifer Crawford (left at 2:08 p.m.), HR Director Kate Rice (left at 2:15 p.m.), HR Generalist Jennifer Allen (left at 2:15 p.m.), Controller Zach Wagoner (left at 2:08 p.m.), Facilities Director Rick Britton (left at 2:15 p.m.), Facilities Office Manager Becky Kearsley (left at 2:15 p.m.), COO Greg Rast, Assessor Brian Stender and DMV Supervisor Kimbra Asqueta (arrived at 1:55 p.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution changing the base salary of the pathologist position in the Coroner's Office: The county is statutorily obligated to have this position and Coroner Crawford spoke about the uniqueness of it. Due to the population growth there has been an increased caseload. Several years ago, they performed between 50-60 autopsies, last year they were at 101 and currently this year they are at 53. With the increased caseload it calculates to about 160 autopsies that will need to be performed this year and if those were to be contracted out they would run approximately \$2000 per case equating to \$320,000 annually. Controller Wagoner spoke to the value of having an in-house person employed by the county. Based on what has been seen in the market for this particular skillset, it is felt that an increase in compensation is necessary and that the change cannot wait until the new fiscal year. Commissioner Van Beek expressed her concerns about mid-year budget adjustments for salary and recalled that several years ago the Board considered a similar request for Dr. Kronz. She would like more information relating to the Coroner's budget and input from the HR Director. Controller Wagoner confirmed that Dr. Kronz is a full-time Canyon

County employee and that in addition to Canyon County autopsies, Owyhee County contracts with Canyon County for autopsies so there is some revenue there. Ada County has 3 pathologists with each position paying over \$300,000 so finding someone to work in Canyon County for \$158,000 would be difficult. Director Rice spoke briefly about the Ada County positions and about how Owyhee County has not been able to find a person which is why they contract with Canyon County. Commissioner Van Beek reiterated that she would still like additional information including an analysis of the budget and where salaries are at. Commissioner Holton noted that although he doesn't like having to make these kinds of decisions in this situation with only 500 forensic pathologist in the entire United States the ability to make an at-will decision may not be feasible. Following the discussion and Board direction, Director Rice said she would compile the pertinent information so that it can be an addendum to or included with the resolution. Controller Wagoner noted for the record that year-to-date actuals compared to budget is readily available in PowerPlan. There are some budgetary savings in the Coroner's Office and he believes it will be very close to falling within the already approved budget. There is money available in the budget to accommodate this change and that this is a business operational decision to keep the public's business moving forward. Commissioner Holton made a motion to authorize signing of the resolution with the understanding that the additional information that's been requested will be written in as an addendum. The motion was seconded by Commissioner Brooks and carried unanimously (see resolution no. 23-090).

Consider resolution approving compensation increase for the Facilities Director position: Due to turnover in the Weed and Pest department Director Britton has been coving the Director position and managing the department since March 17th, for these reasons a pay alignment is necessary for the additional responsibilities. With approval of the resolution, Director Britton's pay will be retroactive to May 1, 2023. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving a compensation increase for the Facilities Director position (see resolution no. 23-091).

Consider resolution adopting changes to the job title and description of one (1) position in the Maintenance department: This resolution will change a Floorcare Specialist job title to a Housekeeping job title to allow for more flexibility within the department. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution adopting changes to the job title and description of one (1) position in the Maintenance department (see resolution no. 23-092).

Consider resolutions granting new and renewal alcoholic beverage licenses:

Commissioner Van Beek made a motion to sign the resolution granting a new alcoholic beverage license to Ruszoni's Pizza. The motion was seconded by Commissioner Brooks and carried unanimously (see resolution no. 23-094)

Commissioner Brooks made a motion to sign the resolutions granting renewal alcoholic beverage licenses as noted on the agenda. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution nos. 23-093 and 23-095 through 23-101. The renewal businesses are as follows: Family Dollar Store #30004; Family Dollar #27513; Family Dollar #30025; Family Dollar

#27267; Keystone Pizza; Pantera Market; Buffalo Wild Wings #592; Applebee's Neighborhood Grill & Bar; Garbonzo's Pizza; Dan's Ferry Service; Flying Pie Pizzeria; Bitner Vineyards; Grocery Outlet of Caldwell; Fiesta Guadalajara (Nampa); Fiesta Guadalajara (Caldwell); Chapala Mexican Restaurant III; Chapala; Mexican Restaurant #7; Acapulco Mexican Restaurant; Carniceria Mi Tierra; Friendly Fred's; Danelion Brewery; Walgreens #12483, Walgreens #10672, Walgreens #07276, Walgreens #11541, Walgreens #05648; Shi Sushi Spirits; The Garage Café; Swirl Wine Shop and Lounge; Casa Robles; Caldwell Night Rodeo; Whiskey River; 4T Sports Bar; The Olive Garden Italian Restaurant #1731

Consider Legal Notice of Public Hearing Regarding the Establishment of the DMV Administrative Fee for Vehicle Title Services: Handouts were provided outlining HB85 and calculations detailing the requested title admin fee. Discussion ensued as to how the fee was calculated and the necessity for it. Following the discussion, the Board took a brief break from 2:41 p.m. to 2:47 p.m. to allow Assessor Stender time to reevaluate his calculations. Once back on the record, the Board concurred with Assessor Stender's calculations and Commissioner Van Beek made a motion to sign the legal notice of public hearing regarding the establishment of the DMV administrative fee for vehicle title services.

The meeting concluded at 2:50 p.m. and an audio recording is on file in the Commissioners' Office.

MAY 2023 TERM
CALDWELL, IDAHO MAY 9, 2023

APPROVED CLAIMS

- The Board has approved claim 594683 ADV in the amount of \$105.00
- The Board has approved the April Jury Updated claim in the amount of \$9,956.99

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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Director of Indigent Services Yvonne Baker (left at 9:43 a.m.), Indigent Services Case Manager Kellie (left at 9:43 a.m.), Fair Director Diana Sinner (left at 9:40 a.m.), DSD Director Sabrina Minshall and Deputy Clerk Jenen Ross.

Consider Resolution Establishing Policy on Meeting Minutes: Mr. Wesley explained this is an updated policy outlining the guidelines for meeting minutes in accordance with Idaho code and

the posting of documents to the agenda. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to sign the resolution establishing a policy on meeting minutes (see resolution no. 23-103).

Consider Services Agreement with Idaho Survey Group Regarding Property Boundary Adjustment:

This is for a property boundary adjustment for land adjacent to the landfill. The fixed fee is \$11,050 to encompass the necessary services. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the services agreement with Idaho Survey Group regarding a property boundary adjustment (see agreement no. 23-054).

Consider signing a Legal notice for a public hearing regarding a proposed increase to update the Canyon County Fair facility rental fees: Director Sinner has been working with legal to determine new and increasing fees for the fair and building rental. A hearing regarding the fees will be held on May 30th. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice for public hearing regarding a proposed increase to update the Canyon County Fair facility rental fees.

Consider signing a Resolution authorizing the destruction of Canyon County Indigent Services Department files and records: This is a standard resolution for destruction of documents that are outside the 5-year retention requirement. All files to be destroyed are closed indigent files and will be completely destroyed, no digital records will be retained. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the resolution authorizing the destruction of Canyon County Indigent Services Department files and records (see resolution no. 23-102).

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 9:44 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 Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley and DSD Director Sabrina Minshall. The Executive Session concluded at 10:31 a.m. with no decision being called for in open session.

At the conclusion of the executive session Commissioner Van Beek made a motion to continue the legal staff update to 11:00 a.m. The motion was seconded by Commissioner Brooks and carried unanimously.

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

CONTINUED LEGAL STAFF UPDATE

The Board went back on the record at 11:10 a.m. for a continued legal staff update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Facilities Director Rick Britton, and Deputy Clerk Monica Reeves. Director Britton reported on the following topics as they pertain to the Weed and Pest Department:

Backlog of Workorders

- The department receives 5-15 workorders daily
- There are 147 outstanding workorders for weed control; 27 outstanding workorders for gopher control; 4 outstanding workorders for owl boxes
- Director Britton is requesting approval to post a notice on the department website cancelling all new workorders until they are caught up on the backlog or until October 1st, and, to post a notice that all gopher bounties will be by appointment only. The department telephone number will be listed so citizens can contact staff to count gopher tails.
 - The Board supports having a statement on the website: *No more workorders will be received until October 1st or unless otherwise revised.* The Board also supports the notice about gopher bounties being by appointment only.

Budget and Staffing Needs for the Department

- Director Britton proposes taking the department from four 10-hour workdays to five 8-hour workdays per week in order to increase customer service and the availability to spray.
 - He wants to implement a 7:00 a.m. to 3:00 p.m. shift, or a 7:00 a.m. to 4:00 p.m. shift, five days a week. On windy days when staff cannot spray they can get equipment ready for the next day, but on good weather days they will work regular hours, or put in 10 or 12- hour days to maximize efficiency.
 - He is looking at utilizing equipment so staff can prepare reports while in the field rather than returning to the office to complete their reports.
 - Requesting flexibility in the budget for overtime when it's needed.
 - Wants weed sprayers cross-trained so they can help with gopher control on windy days.
 - The Board agrees with the proposal and since it's a new way of doing business they want it put in writing so the existing employees are aware of the new policy.
- Equipment recommendations from IT will need to be budgeted for FY2024

- They are using GIS for new ideas/solutions for the department
- He has hired two part-time employees, and backfilled a fulltime position. He wants to hire a seasonal employee now to help until October provide he has funding available in the A Budget. He will send a breakdown of the funding information to the Board. Commissioner Holton is supportive of the request.
- Deputy PA Wesley advised he will schedule a meeting to finalize some paperwork for the department and noted it is okay to make updates to the website.

Rate increase

- A public hearing will have to be scheduled for proposed rate increases.

The meeting concluded at 11:29 a.m. An audio recording is on file in the Commissioners' Office.

MAY 2023 TERM

CALDWELL, IDAHO MAY 10, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Interstate in the amount of \$4,566.00 for the Facilities Department
- CS Tech's in the amount of \$3,591.64 for the Facilities Department

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Last Chance Saloon to be used on 6/10/23, 6/24/23, and 8/4/23; and Holland's Bites and Brews to be used on 6/4/23.

CONSIDER RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board approved resolutions granting renewal beer/wine/liquor alcoholic beverage licenses as follows:

Beer/Wine license renewals for:

Walmart Inc., dba Walmart #2780, #2781, #3739, #4494, and #4180; Destination Caldwell, Inc., dba Destination Caldwell; Pilot Travel Centers, LLC dba Pilot Travel Center #638; Prefunk Beer Bar II, LLC dba Prefunk Beer Bar II; City of Nampa dba Centennial Golf Course; Williamson Orchards, Inc., dba Williamson Vineyards; Short Stop, Inc., dba Lake Lowell Market.

Beer license renewals for:

The Chicago Connection, LLC dba Chicago Connection; La Ranchera Nampa, Inc., dba La Ranchera-Nampa; and Canton Café, Inc., dba Canton Café

Beer/Liquor license renewals for: Nampa Aerie #2103, Fraternal Order of Eagles dba 2103 Aerie; and El Guero, LLC dba Pollos Y Mariscos El Guero.

(See Resolutions No. 23-108, 23-109, 23-100, 23-111, and 23-112.)

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS UNDER CODES: 63-602P, 602W, 602D, 602P, 602B, 602C, 602E, 602GG, AND 50-2014

The Board met today at 9:30 a.m. with the Assessor's Office to consider various new and renewing property tax exemptions. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy Assessor Joe Cox, Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson and Deputy Clerk Jenen Ross. The exemption applications were considered as follows:

50-2014 Urban Renewal

Urban Renewal Agency of the City of Caldwell Idaho

- PIN 04638000 0
- PIN 04694000 0
- PIN 04655000 0
- PIN 04654000 0

Commissioner Van Beek made a motion to deny the applications. She then amended the motion to note that the east urban renewal agency sunset in 2023 and this gives the applicant the opportunity to present during the Board of Equalization time. The motion was seconded by Commissioner Brooks and carried unanimously.

50-2014 Urban Renewal

Urban Renewal Agency of the City of Caldwell Idaho

- PIN 04591000 0
- PIN 04637000 0
- PIN 04551000 0
- PIN 04552000 0

Commissioner Van Beek made a motion to deny the applications noting that the East Urban Renewal agency sunset in 2023 and this gives the applicant the opportunity to present during

the Board of Equalization time. The motion was seconded by Commissioner Holton and carried unanimously.

62-603C Charitable

- 64941025 0 Canyon County Community Clinic
- 61111004 0 Grace Place (The)
- 61111024 0 Idaho Youth Ranch
- 61111027 0 Idaho Youth Ranch
- 61111026 0 Idaho Youth Ranch
- 61111015 0 Idaho Youth Ranch
- 61111007 0 Goodwill
- 64941254 0 Deseret Industries
- 61111022 0 Community Council (Db)
- 61111021 0 Terry Reilly Health Services (Dental)
- 64941544 0 Terry Reilly Health Services
- 64941540 0 Terry Reilly Health Services
- 64941714 0 Terry Reilly Health Services
- 64941543 0 Terry Reilly Health Services
- 64941541 0 Terry Reilly Health Services
- 64941545 0 Terry Reilly Health Services
- 64941542 0 Terry Reilly Health Services
- 61111023 0 Terry Reilly Health Services (Clinic)
- 11805000 0 Hands of Hope Northwest Inc
- 11805010 0 Hands of Hope Northwest Inc
- 11805010A0 Hands of Hope Northwest Inc
- 67336800 0 Shep Rock Foundation
- 31139000 0 Pacific Press Publishing Assoc
- 14822000 0 Fleet Reserve Assoc Branch 382
- 01788000 0 Linc Living Independence Network Corp
- 01801000 0 Grand Lodge of Id IOOF Inc
- 08670000 0 Nampa Aerie No 2103 Foe
- 00855000 0 Lambda-Chi Chapter of Kappa Sigma House Corporation
- 67340100 0 Hispanic Cultural Crt Of Idaho
- 67371501 0 Warhawk Air Museum Inc
- 67371500 0 Warhawk Air Museum Inc
- 67120000 0 Warhawk Air Museum Inc
- 67120010B0 Warhawk Air Museum Inc
- 35141010 0 Caldwell Odd Fellow Lodge No 10

- 08154000 0 Treasure Valley Transit Inc
- 13286000 0 American Legion Joseph H Murray Post 18
- 04735000 0 Caldwell Model Railroad Club & Historical Society Inc
- 35723101 0 Young Mens Christian Association of Boise Inc
- 38762010 0 Parma Area Sr Citizs Cntr Inc
- 35723100 0 Young Mens Christian Assoc Of Boise Inc
- 31060011C1 Love Inc Of Treasure Valley
- 20939010a0 Love Inc Of Treasure Valley
- 08237000 0 Nampa Lodge #1389 BPOE
- 37785000 0 Idaho Youth Ranch Inc
- 37781011 0 Idaho Youth Ranch Inc
- 01147501 0 Idaho Youth Ranch Inc
- 01147500 0 Idaho Youth Ranch Inc
- 02530502 0 Community Council of Idaho Inc
- 02530501D0 Community Council of Idaho Inc
- 27333105 0 Corp Of Presiding Bishop of Jesus Christ of LDS
- 27333106 0 Corp Of Presiding Bishop of Jesus Christ of LDS
- 02530505 0 Community Council of Idaho Inc
- 36736000 0 Arena Valley Park Assoc Inc
- 30505204 0 Idaho Fish and Wildlife Foundation Inc
- 17607030 0 American Legion Diven Slonecker Post 126
- 15954000 0 Lifeline Crisis Pregnancy Center Inc
- 15957000 0 Lifeline Crisis Preg Cntr Inc
- 04699000 0 Mt Moriah Lodge 39 A F Am Inc
- 17540000 0 Melba Valley Historical Society
- 37939000 0 Blazing Hope Youth Family Ranch Inc
- 34971000 0 Caldwell Chapter of The Izaak Walton League of America
- 35307103 0 Metro Community Services Inc
- 35865012 0 Witco Inc
- 35865011 0 Witco Inc
- 35865010 0 Witco Inc
- 32109010B0 Witco Inc
- 05779000 0 Idaho State Chapter Peo Sisterhood Inc
- 16046000 0 Canyon County Pet Haven Inc
- 32548178 0 Salvation Army
- 04770000 0 Canyon County Historical Society Inc
- 14447000 0 Community Health Clinics Inc
- 16873000 0 Community Health Clinic
- 08760000 0 Community Health Clinics DbA

- 16880000 0 Community Health Clinics DbA
- 16883000 0 Community Health Clinics Inc
- 03136000 0 Community Health Clinic DbA Terry Reilly Health Services
- 28695010 0 Community Health Clinic DbA
- 14447015 0 Community Health Clinics Inc
- 08759000 0 Community Health Clinics
- 08777000 0 Community Health Clinics Inc
- 07900101 0 Community Health Clinics Inc DbA Terry Reilly Health Services
- 13576000 0 Salvation Army
- 13704000 0 Salvation Army The
- 15988584 0 Salvation Army The
- 04887000 0 Salvation Army The
- 01114000 0 Caldwell Elks Home Assn
- 01113000 0 Caldwell Elks Home Assn Inc
- 35818000 0 St Vincent De Paul Of Caldwell Inc
- 33612000 0 Lizard Butte Easter Sunrise
- 36402000 0 Pleasant Ridge Grange #135
- 31328012 0 Boise Rescue Mission Inc
- 31328011 0 Boise Rescue Mission Inc
- 31312000 0 Boise Rescue Mission Inc
- 31305000 0 Boise Rescue Mission Inc
- 67165255 0 Mission Aviation Fellowship
- 67165204 0 Mission Aviation Fellowship
- 22891000 0 Mission Aviation Fellowship
- 31730000 0 Mission Aviation Fellowship
- 35091000 0 Advocates Against Family Violence Inc
- 19896000 0 V F W Post 11065
- 08640000 0 Nampa Aerie #2103 Foe
- 13447000 0 Society of St Vincent De Paul Southwest Id Dist Council Inc

Upon the motion of Commissioner Van Beek and Second by Commissioner Brooks the Board voted unanimously to grant exemptions to the charitable organizations as listed.

63-602E Education

- 64941581 0 TIAA FSB
- 64936374 0 TIAA FSB
- 64941106 0 TIAA FSB
- 61111011 0 Treasure Valley Community College
- 64940104 0 Great America Financial Services Corporation

- 60724000 0 Great America Financial Services Corporation
- 64941673X0 Great America Financial Services Corporation
- 60724001 0 Great America Financial Services Corporation
- 64935344 0 Quadient Leasing USA Inc
- 64935345 0 Quadient Leasing USA Inc
- 60204000X0 Us Bank National Association
- 64941113X0 Xerox Financial Services LLC
- 64940608X0 Xerox Financial Services LLC
- 17885010 0 Building Hope Main Street LLC
- 35287105 0 Thomas Jefferson Charter School Inc

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant exemptions to the businesses as listed under Idaho Code 63-602E.

63-602GG Non-profit organizations

- 38770000 0 Elderly Opportunity Agency Inc
- 19406000 0 Elderly Opportunity Agency Inc
- 36243000 0 Idaho Friends Retirement Homes Inc
- 15438000 0 Nampa Christian Housing Inc
- 06438102 0 Advocates Against Family Violence Inc
- 06438106 0 Advocates Against Family Violence Inc
- 06438114 0 Advocates Against Family Violence Inc
- 32480180 0 Advocates Against Family Violence Inc
- 32504483 0 Advocates Against Family Violence Inc
- 32564318 0 Advocates Against Family Violence Inc
- 35129131 0 Advocates Against Family Violence Inc
- 35333212 0 Advocates Against Family Violence Inc
- 35333236 0 Advocates Against Family Violence Inc
- 12983500 0 Trinity New Hope Inc

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant exemptions to the organizations as listed under Idaho Code 63-602GG.

63-602P Water or air pollution control

The total amount to be exempted under this code section is \$85,433,143 for a variety of companies which are outlined in a spreadsheet provided by the Assessor's Office and on file with this day's minutes. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemptions as reviewed by the Assessor's Office staff and represented in the spreadsheet.

63-602B Religious

- 31798000 0 Crossroads Community Church

Commission Van Beek made a motion to grant an exemption on 8.75 acres for one-acre plus the house. The motion was seconded by Commissioner Brooks and carried unanimously.

63-602C Charitable

- 35790115 0 Lifeways
- 11905200 0 Lifeways

Commissioner Van Beek made a motion to grant the exemption on PIN 11905200 0 (S. Diamond St. location) and deny the exemption on PIN 35790115 0 (S. 10th Ave location). The motion was seconded by Commissioner Brooks and carried unanimously.

- 04731101 0 Community Health Clinics Inc. dba Terry Reilly Health Services

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemption.

- 31304000 0 Boise Rescue Mission
- 16835000 0 Boise Rescue Mission

Commissioner Van Beek made a motion to remove the exemption on PIN 31304000 0 on the 29,199 sq. ft. The motion was seconded by Commissioner Brooks and carried unanimously. Commissioner Brooks made a motion to grant the exemption on PIN 16835000 0. The motion was seconded by Commissioner Holton. A vote was taken on the motion with Commissioners Brooks and Holton voting in favor and Commissioner Van Beek voting in opposition. The motion carried in a 2-to-1 split vote.

- 12709000 0 Gateway Crossing Apartments LLC
- 34327538 0 Neighborhood Housing Services Inc. dba Neighborhoodworks

Upon the motion of Commissioner Van Beek and second by Commissioner Brook the Board voted unanimously to deny exemptions on PINs 12709000 0 and 34327538 0.

- 12985525 0 LEAP Charities

Commissioner Van Beek made a motion to deny exemptions under Idaho Codes 63-602GG and 63-602C. The motion was seconded by Commissioner Brooks and carried unanimously.

63-602E Education

- 31454011 0 Harvest Life Ministries

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemption.

- 64941394 0, 60686650 0 and 64933876 0 Canon Financial Services Inc.

Commissioner Van Beek made a motion to deny the exemptions due to lack of documentation on the personal property declarations. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:25 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 Budget Workshop for Genesis Community Health

The Board met today at 10:34 a.m. for a FY2024 budget workshop for Genesis Community Health. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Steve Davis with Genesis Community Health, Other staff members of Genesis Community Health and Deputy Clerk Jenen Ross. Mr. Davis provided an overview of what Genesis Community Health does and what they provide to the community including medical, dental and mental-health community health services. A review was provided of their volunteers & community partners and other funding sources. The two main goals this year are to serve more patients from Medicaid unwinding and to complete the Good Samaritan Capital Campaign.

For FY2024 they are requesting \$150,000 in funding from the county.

A copy of the PowerPoint presentation, funding application and 2022 annual report are on file with this day's minutes.

The meeting concluded at 11:02 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 BUDGET WORKSHOP FOR VALLEY REGIONAL TRANSIT

The Board met today at 11:02 a.m. for a FY2024 budget workshop for Valley Regional Transit. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Elaine Clegg, Kate Dahl and Kyle Street with VRT, Clerk Chris Yamamoto, Controller Zach Wagoner, COO Greg Rast and Deputy Clerk Jenen Ross. Ms. Clegg spoke about the services they provide in the community. A PowerPoint presentation was provided to the Board which covered the following:

- Ridership trends
- 2022 Accomplishments and FY2024 Objectives
- Budget request

For FY2024 they are requesting funding of \$74,767 and Mr. Street provided an explanation of how they calculated that number.

A copy of the PowerPoint presentation is on file with this day's minutes.

The meeting concluded at 11:37 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 BUDGET WORKSHOP FOR ADVOCATES AGAINST FAMILY VIOLENCE

The Board met today at 1:34 p.m. for the FY2024 budget presentation by Advocates Against Family Violence. Present were: Commissioners Zach Brooks and Leslie Van Beek, Controller Zach Wagoner, AAFV Executive Director Kim Deugan and Deputy Clerk Monica Reeves. Clerk Chris Yamamoto arrived at 1:49 p.m. Ms. Deugan gave an overview of the services they provide as well as a review of their budget and funding. For FY2024 they are requesting \$76,953 (\$50,000 annual request, plus \$26,953 to help with shelter renovations.) The handout reviewed by Ms. Deugan is on file with this day's minutes. The Board will evaluate the information that was provided. The meeting concluded at 1:58 p.m. An audio recording is on file with this day's minutes.

FY2024 BUDGET WORKSHOP FOR THE CALDWELL VETERANS COUNCIL

The Board met today at 2:00 p.m. for the FY2024 budget presentation for the Caldwell Veterans Council. Present were: Commissioners Zach Brooks and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Joe Moore, Terry Harrell, Scott Ray, Randy Jensen, Phyllis Esteppe, Chuck Staddick from the Caldwell Veterans Council, and Deputy Clerk Monica Reeves. This council helps 12,000 Veterans a year, and this year they are requesting \$38,400 in County funding. They have an onsite Veterans Service Officer (VSO) who assists with claims through the VA to get medical attention and benefits. The office is open M-F from 8:00 a.m. to 5:00 p.m., and the goal is to help Veterans with basic needs such as clothing and food, as well as tutoring services, and counselling which is offered free of charge. The VSO works from an office at the hall and once a week she attends Veterans court and helps with programs to get them re-established in the community. She also does home visits to assist with paperwork. The hall serves as a cooling station during the summer months and is open to anyone who needs help. It is also available for rent. They serve Christmas Eve dinner for anyone in need and they provide a place for a celebration of life, and on Memorial Day they place flags on every Veterans grave as well as lining the roadway with full-size American flags. They provide space for rotary clubs free of charge and they give a local high school senior a scholarship each year. Canyon County has over 16,000 Veterans, almost 4,000 are disabled, and 400 are female. Controller Wagoner said some counties have a fulltime VSO position, but we provide an allocation of cash to support an independent position which provides a great benefit. Clerk Yamamoto gave some background on the funding amount for the VSO. A copy of the presentation is on file with this day's minutes. The meeting concluded at 2:18 p.m. An audio recording is on file in the Commissioners' Office.

FY2024 BUDGET WORKSHOP FOR THE CANYON SOIL CONSERVATION DISTRICT

The Board met today at 2:31 p.m. for the FY2024 budget presentation for the Canyon Soil Conservation District. Present were: Commissioners Leslie Van Beek and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Mike Swartz, Chairman of Canyon Soil Conservation District, Board member Chris Gross, Board member Brad McIntyre, Board member Clay Erskine, Board member Bob McKellip, Admin. Assistant Lori Kent, and Deputy Clerk Monica Reeves. A PowerPoint

presentation was given showcasing the services the district provides. This year the organization is requesting \$25,000 in County funding.

- Reviewed the success of the No-Till Drill practice which is available to farmers who want to get into the no-till practices where you come in with a crop that allows you not to have to touch it with a disc.
- Farmers' Co-Op Ditch Company Sediment Basin Regional Conservation Partnership Program Project.
- 319 Grant Program - helps state and local agencies distribute grant money to landowners to reduce local stream and river contamination such as soil settlement or chemical/pesticide runoff.
- Reviewed projects Canyon SCD has worked on. Education is outreach is large part of what the district does. Use some of the County funds to grant match so they can participate in more projects.
- Partners with the Lower Boise Watershed Council to implement projects on Ag land to assist in meeting the Lower Boise River Watershed Total Maximum Daily Loads (TMDL).
- Demonstration of a rainfall simulation that shows soil conservation practices.

The meeting concluded at 3:04 p.m. The Board is gathering information and will get back with the Canyon SCD regarding its funding request. An audio recording is on file in the Commissioners' Office.

MAY 2023 TERM
CALDWELL, IDAHO MAY 11, 2023

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 Brad Holton, Leslie Van Beek and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, COO Greg Rast, Facilities Director Rick Britton and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Addendum No. 1 for Canyon County Fair Event Center Fence Project: This is an opportunity for bidders to ask clarifying questions; three questions were asked and responded to.

Bids will be due on May 16th. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign addendum no. 1 for Canyon County Fair Event Center Fence project.

The meeting concluded at 9:33 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTIONS GRANTING REFUNDS FOR DEVELOPMENT SERVICES DEPARTMENT FEES

The Board met today at 10:30 a.m. to consider resolutions granting refunds for Development Services Department fees. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Office Manager Jennifer Almeida, and Deputy Clerk Monica Reeves. The requests were considered as follows:

Consider a resolution granting a refund to Kent and Gina Morgan for fees associated with an unnecessary comprehensive plan map amendment: The applicant initially applied for a comprehensive plan map amendment and rezone in 2021. The applicant then followed the case planner's recommendation to instead apply for a conditional rezone, therefore, staff is requesting a refund in the amount of \$2,500. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to grant the refund to Kent and Gina Morgan. (Resolution No. 23-113.)

Consider a resolution granting a refund to Mussell Construction for fees associated with an unnecessary administrative variance. The case planner conducted research and had discussions with city officials about setbacks and as a result of those discussion it was discovered a variance was no longer needed. Staff is recommending a refund in the amount of \$510.00 Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to grant the refund to Mussell Construction. (Resolution No. 23-114.)

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

FY2024 BUDGET WORKSHOP FOR SOUTHWEST DISTRICT HEALTH

The Board met today at 10:36 a.m. to consider the FY2024 budget workshop for Southwest District Health. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Executive Director Nikki Zogg, Finance Officer Troy Cunningham, Health Education Specialist Emily Straubhar, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Fee revenues are conservative this year due to unexpected budget impacts, the economic downturn has impacted fees in land development and subsurface sewage disposal programs. The decline has leveled off and they anticipate tick back up based on recent trends. Grant revenues that came in this fiscal year for primarily youth crisis center type services, or youth support services in behavioral health. Most of the funds will be passed through to other organizations to expand capacity for behavioral health services in the region. SWDH is requesting a 3% increase in county

contributions for state fiscal year 2024. A 3% increase equates to a \$88,954 increase from counties, overall. (Counties went from supporting approximately 24% of SWDH's budget in SFY2023 to 27% in SFY2024.) The district will receive a few state appropriations from the Millennium Fund and the Opioid settlements coming through state appropriations. Director Zogg reviewed the expense highlights: salaries and the adjustment of their pay schedule; employee benefits, operating expenses, capital expenses, and trustee and benefit expenses. The board of health approved a 5% performance-based increase for employees who have successfully completed 6 months of probation, have received an achieves or higher rating on their current performance evaluation, and are not on a performance improvement plan. The cost of the 5% increase for FY2024 is approximately \$300,840. Commissioner Brooks had questions about employee salary adjustments and said he doesn't like the plan to give a 5% increase across the board because those at the upper end of the scale should receive a smaller percentage (such as 2.5%) than those at the lower end of the scale. Director Zogg understands the point and said it warrants further discussion with the health board. In response to a question by Commissioner Van Beek, Controller Zach Wagoner spoke about the shift/reduction in the indigent services budget. He said the County's contribution to SWDH has increased significantly. There were comments regarding the impacts of HB316. This year SWDH is requesting \$2,337,527 in County funding. Director Zogg said they have been pulling out their crisis center funding since they started receiving funding for the adult crisis center about five years ago, and they have received funding to establish a youth crisis center too and that funding is coming in and they anticipate quite a bit before the end of the fiscal year. Some funds are set aside for a couple of staff to administer the work but the rest goes toward the operation of the centers so putting it into their budget would be misleading in terms of operations so she wanted to make sure the Board knew that. There was a review of the funding formula that's applied that takes into account the County's population and the net taxable market values. Emily Straubhar, the Community Resiliency Program Manager at SWDH, provided an update regarding the work being done by the Caldwell Health Coalition. They meet monthly and have six pillars of health they prioritize activities around. They have a robust membership ranging from healthcare professionals, education partners, some local coalitions and the region as well. Current projects include: a walkability assessment at Van Buren Elementary; creating a youth anti-vaping video with the Owyhee Health Coalition in partnership with the 4-H University of Idaho Extension Office; and wrapping up their senior produce program at the Caldwell Farmers Market. Recent FY23 successes include: concluding their funding for year 3 of the senior produce program; partnered with Boise State University graphic design students to make some marketing materials for their coalition; hosted a meet-and-greet with Caldwell Mayor Jarom Wagoner; and have offered College of Idaho internships for students. There was brief discussion regard the requirement about having a proxy for the upcoming board of health budget hearing on May 23, 2023 at 9:00 a.m. The proxy will be sent for Commissioner Holton's signature. The meeting concluded at 11:30 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER A LEGAL NOTICE FOR A PUBLIC HEARING REGARDING A PROPOSED FEE FOR THE CANYON COUNTY WEED AND PEST DEPARTMENT

The Board met today at 1:33 p.m. to consider a legal notice for a public hearing regarding a proposed fee for the Canyon County Weed and Pest Department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley and Deputy Clerk Jenen Ross. Since Director Britton has been overseeing this department he's realized that fees had not been evaluated in many years and are due to be increased to cover costs incurred by the County. A hearing to take comment on the proposed increase will take place on May 30th. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice for a public hearing regarding a proposed fee for the Canyon County Weed and Pest Department.

The meeting concluded at 1:36 p.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D): INTERVIEW AND CANDIDATE EVALUATIONS FOR THE PLANNING & ZONING COMMISSION

Commissioner Van Beek made a motion to go into Executive Session at 1:58 p.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Holton. 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, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister and P&Z Commissioners Brian Sheets and Robert Sturgill. Marlo Dean participated from 1:59 p.m. to 2:26 p.m., Matt Dorsey participated from 2:30 p.m. to 3:00 p.m., David Gilbert participated from 3:02 p.m. to 3:29 p.m. and Nathan Guy participated from 3:32 p.m. to 4:00 p.m. The Executive Session concluded at 4:37 p.m. with no decision being called for in open session.

MAY 2023 TERM
CALDWELL, IDAHO MAY 12, 2023

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:30 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, HR Director Kate Rice, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider release agreement for Weed and Pest Department: The Board is aware of the circumstances regarding this agreement. 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 9:31 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, HR Director Kate Rice and COO Greg Rast. The Executive Session concluded at 9:39 a.m. with no decision being called for in open session.

Following the executive session, Commissioner Van Beek made a motion to sign the resignation, severance and release agreement. The motion was seconded by Commissioner Brooks and carried unanimously (see agreement no. 23-055).

Consider reasonable accommodation and settlement agreement with Moonlight Mountain Recovery, Inc. and D & W Investments 201, LLC for 13963 Purple Sage Rd, Caldwell, ID: Mr. Wesley spoke about a potential additional condition to be included in the agreement, however the attorney the county is working with on this agreement is out of the office and there has not yet been any resolution to the additional condition. Mr. Wesley requested that this matter be added to the legal staff update on May 18th for consideration.

The meeting concluded at 9:41 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER PUBLIC DEFENSE COMMISSION FY2024 FINANCIAL ASSISTANCE APPLICATION

The Board met today at 9:53 a.m. to consider the Public Defense Commission FY2024 Financial Assistance application. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy Public Defender Aaron Bazzoli, COO Greg Rast and Deputy Clerk Jenen Ross. Mr. Bazzoli explained that the application has changed some in comparison to previous years. He is still working to compile all the pertinent data and anticipates he should have it completed by the end of the day. Since the application is not yet complete this item will be added to the agenda for consideration on Monday, May 15th at 8:45 a.m.

The meeting concluded at 10:03 a.m. and an audio recording is on file in the Commissioners' Office.

BUDGET STATUS UPDATE MEETING

The Board met today at 10:05 a.m. for a budget status update meeting. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Sarah Winslow, COO Greg Rast and Deputy Clerk Jenen Ross.

Prior to starting his presentation, Controller Wagoner spoke about how in years past the county had indigent public defense spending in multiple budgets but once the state began to reimburse for what was spent on public defense they put accounting efforts into place to put all public defense spending into one budget, which took a lot of effort, but allowed the county to get the full allotment from the state because all the expenditures were in one place. He explained that the goal is to track expenditures, the greatest extent possible, back to the department/Office and often there are financial benefits to doing that. That is why they take certain expenses and put them in a specific departments/Offices to maximize the use of other people's money.

Controller Wagoner presented a PowerPoint to the Board which reviewed the following topics:

FY2023 revenues: actual – budget through April 2023

Category	Actual	Budget	% Realized
Property Taxes	\$ 26,542,262	\$ 42,320,105	63%
Intergovernmental	\$ 17,072,906	\$ 38,224,858	45%
Charges for Services	\$ 9,272,587	\$ 20,500,502	45%
Licenses, Permits, Other Miscellaneous	\$ 3,546,105	\$ 5,998,508	59%
	\$ 56,433,860	\$ 107,043,973	53%

Charges for services:

Description	Actual	Budget	% Realized
ARPA Coronavirus SLFRF	\$ 138,404	\$ 5,180,000	3%
DMV Administration Fees	\$ 426,111	\$ 1,250,000	34%
Recorder's Fees	\$ 503,688	\$ 1,400,000	36%
Building Permits	\$ 720,544	\$ 1,930,000	37%

FY2023 expenditures: actual – budget through April 2023

Category	Actual	Budget	% Realized
Salaries and Benefits	\$ 42,552,061	\$ 86,264,409	49%
Other Operating Expenditures	\$ 13,523,817	\$ 27,979,267	48%
Capital Investments	\$ 5,070,973	\$ 18,502,414	27%
	\$ 61,146,851	\$ 132,746,090	46%

Fund	Actual	Budget	% Realized
Current Expense	\$ 20,390,883	\$ 43,006,405	47%
Justice	\$ 22,140,278	\$ 41,569,353	53%
District Court	\$ 6,070,144	\$ 13,000,661	47%

Comparison FY2023 – FY2022 through April

Category	FY 2023	FY 2022	\$ Change
Property Taxes	\$ 26,542,262	\$ 35,763,965	\$ (9,221,703)
Intergovernmental	\$ 17,072,906	\$ 16,254,664	\$ 818,242
Charges for Services	\$ 9,272,587	\$ 10,162,264	\$ (889,677)
Licenses, Permits, Other Miscellaneous	\$ 3,546,105	\$ 4,377,376	\$ (831,271)
	\$ 56,433,860	\$ 66,558,269	\$ (10,124,409)

Discussion ensued regarding actual numbers for public defense. \$7.3M is the budgeted cost for the business of providing public defense, the revenue is \$5.8M which is \$1.5M shortfall.

Controller Wagoner also addressed Commissioner Van Beek's questions about lottery, tobacco and alcohol taxes.

Description	FY 2023	FY 2022	\$ Change
ARPA Coronavirus SLFRF	\$ 138,404	\$ 4,340,521	\$ (4,202,117)
Landfill Fees	\$ 3,700,331	\$ 4,206,536	\$ (506,205)
Recorder's Fees	\$ 503,688	\$ 951,284	\$ (447,596)
Building Permits	\$ 720,544	\$ 1,218,750	\$ (498,206)
Sales tax - Indigent public defense	\$ 3,482,372	\$ -	\$ 3,482,372
Interest earnings	\$ 947,829	\$ 176,455	\$ 771,374

Actuals – comparison of FY2022 to FY2022 through April

Category	FY 2023	FY 2022	\$ Change
Salaries and Benefits	\$ 42,552,061	\$ 36,618,139	\$ 5,933,922
Other Operating Expenditures	\$ 13,523,817	\$ 11,992,064	\$ 1,531,753
Capital Investments	\$ 5,070,973	\$ 3,568,459	\$ 1,502,514
	\$ 61,146,851	\$ 52,178,662	\$ 8,968,189

At the request of Commissioner Holton, Controller Wagoner provided his thoughts as the budget season approaches. He encouraged the Board to be mindful and cautious about growing government, the long-term impacts, as growth in the county has not been as rapid recently as it's been in recent years.

Discussion ensued regarding Board expectations of the Controller for budget workshops starting Monday.

A copy of the PowerPoint presentation is on file with this day's minutes. The meeting concluded at 10:57 a.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (1) (A) REGARDING A PERSONNEL MATTER

Commissioner Brooks made a motion to go into Executive Session at 11:02 a.m. pursuant to Idaho Code, Section 74-206(1) (a) regarding personnel matters. 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, HR Director Kate Rice, HR Generalist Jennifer Allen, Director of Juvenile Probation Elda Catalano, Division Supervisor Jose Orozco and COO Greg Rast. The Executive Session concluded at 11:13 a.m. with no decision being called for in open session.

MAY 2023 TERM
CALDWELL, IDAHO MAY 15, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$1,538.24 for the Information Technology department (Recorder's Office)
- Dell in the amount of \$1,538.24 for the Information Technology department (County Extension Service)
- Corwin Ford in the amount of \$45,675.00 for the Fleet department

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Capital City Event Center to be used 5/26/23, 5/28/23, 6/23/23, 8/12/23, 9/1/23, 9/16/23, and 10/14/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Cassandra Bertram, Customer Service (Lead); Cassandra Bertram, Customer Service (Training Coordinator); Rick Britton, Director of Facilities and Maintenance (Increase due to additional functions of Weed and Pest assignments); Jose Orozco, Assistant Director of Juvenile Probation; Jenniffer Odom, Case Manager - Indigent Services and Board of Community Guardians; Trayton Z. Meyers, Deputy Sheriff - Patrol 41006.

CONSIDER RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board approved resolutions granting beer/wine/liquor alcoholic beverage license renewals as follows:

- 23-115 RENEWAL: Beer/Wine: Target Corporation dba Target Store T-2206; Boise Babes LLC dba The112; La Esperanza Market LLC dba La Esperanza Market
- 23-116 RENEWAL: Beer: El Rico Pan Bakery Inc dba El Rico Pan Bakery
- 23-117 RENEWAL: Beer/Wine: Kerry Hill Winery LLC dba Kerry Hill Winery; 2C Wine Down LLC dba 2C Wine Down; Maverik Inc dba Maverik #298
- 23-118 RENEWAL: Beer/Liquor: Cook's Two Hole Inc. dba Cooks Two Hole Bar; BFC 12th Ave. LLC dba Boise Fry Company; El Patron 2 LLC dba El Patron Event Center; Paleteria Y Neveria Mi Linda Michoacana dba Paleteria Y Neveria Mi Linda Michoacana Ice Cream LLC
- 23-119 RENEWAL: Beer/Wine: Raising Our Bar LLC dba Raising Our Bar; EVRA Inc. dba Casa Mexico; Scoria Vineyards & Winery LLC dba Scoria Vineyards & Winery; Parma Ridge Wine & Spirits Co. LLC dba Parma Ridge
- 23-120 RENEWAL: Beer/Liquor: Kenal, LLC dba Kenal Leasing

MEETING TO CONSIDER PDC FY2024 FINANCIAL ASSISTANCE APPLICATION

The Board met today at 8:46 a.m. to consider the PDC FY2024 Financial Assistance application. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Public Defender Aaron Bazzoli, Clerk Chris Yamamoto (arrived at 8:49 a.m.) and Deputy Clerk Jenen Ross. Mr. Bazzoli provided an overview of how the amount of financial assistance is calculated and how the county makes use of those funds. For FY2024 the requested amount is approximately \$1.25M. Both Clerk Yamamoto and Mr. Bazzoli have submitted their digital signatures. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the PDC FY2024 Financial Assistance application. A copy of the application is on file with this day's minutes. The meeting concluded at 8:55 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR JUVENILE DETENTION

The Board met today at 9:00 a.m. for the FY2024 preliminary budget workshop for the juvenile detention center. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Juvenile Detention Director Sean Brown, Deputy Director Shawn Anderson, Sr. Admin. Specialist

Sue Britton, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, and Deputy Clerk Monica Reeves. Highlights from the workshop were:

Revenue for the SWIJD includes reimbursements or revenue from:

- Housing fees from outside counties,
- The National School Lunch Program,
- Telmate Inmate Phone Services,
- Idaho Juvenile Detention Clinician Program,

Revenues will increase next year because they are raising the daily rate from \$210 to \$220. This is because of wage increases and inflation. There are 11 counties that contract with the County.

“A” Budget – Salaries and Benefits:

The juvenile detention center currently has three vacant positions. Two positions are in the background process, while the other is currently in the initial stages of the hiring process. The recruitment and training process typically take approximately two to three months for hiring and another three months for training. With an operation that runs 24/7 and standards that must be met we must stay ahead of the snowball. As such, attracting and retaining highly qualified and committed candidates is crucial. Regrettably, recent developments have revealed that while there is a slight increase in the volume of applicants, the majority of them are “job hoppers,” with a conspicuous lack of quality. Nonetheless, we remain optimistic about finding exceptional candidates to fill the vacancies.

No new positions are being requested. Director Brown would like to add a line item called “extended time”. He has 28 team members scheduled for 168 hours of work per 4-week pay period. This would alleviate many factors to include overtime, vacation time and sick time.

Capital Assets:

Replace all existing locks in “newer facility” built in 2020 as the locks are now obsolete and parts cannot be obtained for them. **\$112.00 per lock and need 119 locks replaced total \$13,328**

Paint 36 cells with 2-part epoxy paint. Two per room at \$100 each **\$7,200**

Replace cell door glass. Need 12 to 28 replaced **\$130.00 each 28 1 windows=\$3,593**

The Controller asked if these costs are included in the amounts charged to the counties who house juveniles at the center. This topic will be discussed at a later date. In the discussion regarding cigarette tax money, the Controller made the point about showing the true cost of each entity's operation. Director Brown reviewed each of his individual line items. There was discussion regarding project fee revenue, calculations. The Board wants to see a worksheet with breakdowns. The meeting concluded at 9:42 a.m. An audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR JUVENILE PROBATION

The Board met today at 9:53 a.m. for the FY2024 preliminary budget workshop for the juvenile probation department. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Juvenile Probation Director Elda Catalano, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, and Deputy Clerk Monica Reeves. Highlights from the workshop were:

- Staffing
 - Requesting one fulltime entry-level juvenile probation officer
- Caseloads
- Supervision of cases
- Programs and Partnerships
- Collection of fees
- Projected revenues
- Employee compensation
 - Recommends providing compensation based on performance, or provide a market adjustment for FY2024
- Capital Assets:
 - Replace 2 Ford Fusion cars with 2 Ford Explorers: \$96,000
 - Replace 12 laptops and 6 PC's: \$19,775
 - Replace chairs for 20 juvenile probation officers: \$6,000

Director Catalano is asking for \$1,200 to explore doing more through the wellness program to recognize employees. Controller Wagoner said in the past we had a merit pool with built-in COLAs and formulas to keep salaries consistent and to be distributed at the discretion of the director or elected official, but it was interpreted many different ways. Clerk Yamamoto said one office spent none of it and another that spent all of it, so there needs to be parameters and sideboards. Following her report, Director Catalano reviewed the individual line items within her budget.

The meeting concluded at 10:42 a.m. An audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR MISDEMEANOR PROBATION

The Board met today at 11:02 a.m. for the FY2024 preliminary budget workshop for the misdemeanor probation department. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Director of Misdemeanor Probation Jeff Breach, Assistant Director of Misdemeanor Probation Mary Gomez, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, and Deputy Clerk Monica Reeves. Highlights from the workshop were:

Revenue Projections for FY24

- Cost of Supervision - \$420,000
 - Current rate \$60/month (maximum allowed by law \$75/month)
- Community Service Workers Comp Fee - \$12,996
 - \$0.60/hour set by statute
 - This line pays into the state workers comp fund, but it doesn't take the full amount to pay the obligation

Staffing Level – 13 fulltime positions

- 6 misdemeanor probation officers
- 2 senior misdemeanor probation officers (\$2,000 stipend for extra duties)
- 2 senior administrative specialists (jointly run community service)
- 1 administrative supervisor
- 1 assistant director
- 1 director

No new positions are requested for FY2024

- Would Recommend a 4% market adjustment which is similar to what the State is doing.
- Biggest challenge is recruiting quality personnel.
- Not requesting any upgrades to current positions other than what HR is doing with the new band system.

FY23/FY24 Comparison

FY23 Approved

Approved A Budget

- \$1,118,401.09

Approved B Budget

- \$50,462.10

Total Budget Approved

- \$1,168,863.19

FY24 Requested

Requested "A" Budget

\$1,116,807

Requested "B" Budget

\$36,185

Total Budget Requested

\$1,152,992

The meeting concluded at 11:25 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS VARIOUS MATTERS RELEVANT TO THE CANYON COUNTY SHERIFF'S OFFICE

The Board met today at 1:01 p.m. to discuss various matters relevant to the Canyon County Sheriff's Office. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Cpt. Ray Talbot, Cpt. Chuck Gentry, CCSO Financial Manager David Ivers, Lt. Martin Flores, Clerk Chris Yamamoto, Controller Zach Wagoner, Cpt. Harold Patchett (arrived at 1:13 p.m.) and Deputy Clerk Jenen Ross. Binders of information were provided to the Board which provided detailed information on the budgeting needs of the Sheriff's Office and can be correlated to notes in PowerPlan during budget planning.

The meeting concluded at 1:25 p.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D): INTERVIEW AND CANDIDATE EVALUATIONS FOR THE PLANNING & ZONING COMMISSION

Commissioner Brooks made a motion to go into Executive Session at 1:53 p.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Holton. A vote was taken on the motion with Commissioners 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, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, P&Z Commissioners Brian Sheets and Robert Sturgill. Geoffrey Matthews participated from 1:56 p.m. to 2:23 p.m. and Michael Middleton participated from 3:02 p.m. to 3:27 p.m. The Executive Session concluded at 4:09 p.m. with no decision being called for in open session.

The meeting concluded at 4:10 p.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MAY 2023 TERM
CALDWELL, IDAHO MAY 16, 2023

APPROVED PAYROLL MAY 19, 2023

The Board approved the May 19, 2023 payroll in the amount of \$2,259,582.74

APPROVED CLAIMS

The Board has approved claims 594684 to 594726 in the amount of \$62,752.09

The Board has approved claims 594727 to 594766 in the amount of \$9,952.87

The Board has approved claims 594767 to 594806 in the amount of \$51,528.28

The Board has approved claims 594850 to 594857 in the amount of \$384.00

RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board approved resolutions granting beer/wine/liquor alcoholic beverage license renewals as follows:

- 23-121 RENEWAL: Beer/Wine: Wild Heart Springs, LLC dba Wild Heart Springs; The Chapp Wine & Tap, LLC dba The Chapp Wine & Tap; Ridgewood Enterprises, Inc. dba Legacy Feed and Fuel; Red Top Market, LLC dba Red Top Market, LLC; Messenger, LLC dba Messenger; Melba Pizza Extreme, LLC dba Melba Extreme Pizza; Christensen, Inc. dba Sage Travel Plaza
- 23-122 RENEWAL: Beer: Caldwell Housing Authority dba Farmway Store

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Eastside Tavern to be used 6/24/23, 6/10/23, 6/3/23 and 5/27/23.
- The Board approved Idaho Liquor Catering Permits for County Line Wine Co. to be used 6/10/23, 5/27/23, 6/3/23 and 6/8/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Joseph Kronz.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hess Construction in the amount of \$39,912.50 for the Facilities department
- L&W Supply – Nampa in the amount of \$2748.72 for the Facilities department

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Fair Director Diana Sinner (left at 9:39 a.m.), Facilities Director Rick Britton (left at 9:39 a.m.) and Deputy Clerk Jenen Ross. The action item was considered as follows:

Open Bids for Canyon County Fair Event Center Fence Project: No bids were received for this project although Director Britton has made personal contact with 3-4 vendors. Legal will review the parameters of this project and advise on the best path forward to get this done as quickly as possible.

The meeting concluded at 9:39 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOPS AND ACTION ITEM

The Board met today at 10:02 a.m. for FY2024 preliminary budget workshops and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast, Controller Zach Wagoner, Accountant Sarah Winslow, Treasurer Tracie Lloyd (left at 11:01 a.m.), Chief Deputy Treasurer Jennifer Mercado (left at 11:01 a.m.), County Agent Tasha Howard and Debbie Lowber (arrived at 10:48 a.m.) and Deputy Clerk Jenen Ross.

Consider Treasurer's tax charge adjustments by PIN for April 2023: Treasurer Lloyd provided a review of some of the adjustments that were made and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for April 2023.

FY2024 budget workshops were as follows:

Treasurer

Treasurer Lloyd provided documents and reviewed the following with the Board:

- Statistical data related to property tax payments with a breakdown of payment types
- Review of investment projections
- Possible reclassification of a funded Office Manager position to a Banking and Finance Manager to help compensate for anticipated increase in workload due to HB292 and to start preparing for the future with anticipated retirement of key employees
- Supports the request of an additional IT person to have a dedicated focus to the Treasurer and Assessor
- Cost of collections - \$40,000
 - Fees attributed to pending issue of tax deed & warrants of distraint collections
- Interest on savings - \$350,004
 - Return on investments are dependent upon cash reserves
 - There are still a lot of unknowns in regard to projects planned for FY2024 that will impact cash reserves and re-investment possibilities
- Temporary - \$5,000
 - Due to HB292 and the likelihood of a shortened collection period additional staffing may become necessary

- Board suggested this line item be increased
- Misc. professional services
 - Increased postage of \$.06 will be effective for tax drive 2023
- Service contracts
 - Approximately \$68,000 budgeted for Aumentum tax support, public access support and public access hosting support; budget number included in PowerPlan may be incorrect so Treasurer Lloyd will reevaluate.
- Advertising
 - Due to HB292 there is a high likelihood additional public outreach will be needed
- Postage
 - Postage increase of \$.03 scheduled for July
- Hotel
 - Increased to account for increased hotel prices while attending conferences
- Armored car
 - 11% increase in November 2022 due to rising fuel & employment costs; an additional increase is expected
- Banking charges
 - Fees associated with the Lock Box processing
- Public administrator
 - Unanticipated costs but there is generally revenue that offsets the costs
- Computer equipment
 - IT recommendations
- Small office equipment
 - Replacement of high-speed letter opener

The Board took a brief recess from 11:01 a.m. to 11:11 a.m.

County Agent

Ms. Howard provided documents and reviewed the following with the Board:

- An ARPA grant of approximately \$370,000 that has been received in recent years will be going away at the start of FY2024
- There will be a salary adjustment for a Senior Customer Service Representative who'll be moving into the Senior Administrative Specialist position being vacated by Debbie Lowber's retirement
 - Also included a 3% increase for the other Senior Customer Service Representative position
- FY2024 Budget requests
 - Horticulture Assistant: \$18,272
 - 4-H Program Coordinator: \$52,866
 - 4-H Program Assistant: \$19,795

- Support for the educators: \$7500
- Checkbook Audit fee: \$1200
- Travel: \$27,500
- Capital assets: \$11,500

A copy of the handouts that were reviewed are on file with this day's minutes.

The meeting concluded at 11:39 a.m. and audio recordings are on file in the Commissioners' Office.

PUBLIC HEARING: APPEAL BY MICHAEL RAWDAN/EASY HEATING AND AIR OF THE P&Z COMMISSION'S DECISION TO DENY A CUP, CASE NO. CU2022-0004-APL

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of an appeal by Chris Carpenter, representing Michael Rawdan/Easy Heating and Air, of the Planning & Zoning Commission's denial of Case CU2022-0004, a conditional use permit to allow a contractor shop within an "A" (Agricultural) Zoning District. The property is located at 4541 Hemlock Way in Nampa. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planning Official Dan Lister, Chris Carpenter, Lee Axelson, Kelly Martin, Mary Murray, WL Murray, Peggy Mimura, Kraig Wartman, David Dieffenbach, Vicki Vink, Kevin Werlinger, Trina Patterson, Ron Crumb, other interested citizens, and Deputy Clerk Monica Reeves.

Dan Lister gave the oral staff report and reviewed the request, the location, site photos, comments, and the comprehensive plan alignment. The applicant is appealing the P&Z Commission's decision on January 5, 2023, which denied the request for a conditional use permit which would have allowed for a contractor's shop for an HVAC business. There is a code violation on the property and if the request is approved it would abate that violation. The proposal includes hours of operation: Monday through Friday, 8:00 a.m. to 5:00 p.m., and being closed on evenings and weekends; the shop will be utilized for storage and materials and equipment for light fabrication; materials and equipment will be stored within the shop or behind a 6-foot fence; the primary use of the shop will allow employees to load/unload trucks daily; will include an office for admin. staff; parking for employees and off-duty vehicles; a location for trash collection; and a 6-foot wood fence surrounding the property enclosing the parked vehicles and shop. The rest of the perimeter does not have that type of fencing which would be required if approved. The applicant feels the information used for the denial was not factual or based on evidence, and that potential impacts such as access can be mitigated through conditions of approval. The property is .61 acre and is located within the Hillcreek Subdivision with an average lot size of 0.81 acre. The property is zoned agriculture and was platted before the 1979 ordinance. The property is located within the Nampa impact area and their future land use map identifies the property to be medium-density residential if it were to be annexed. Mr. Lister reviewed the property history. The P&Z Commission denied the request for the following reasons: 1. the use is out of character when considering the surrounding existing residential subdivision, and 2. based on the testimony (six in

opposition and one in favor); the use is commercial industrial and generates noise and traffic that impacts the exhibiting neighborhood. The request aligns with 4 goals and 3 policies of the comprehensive plan; however, it does not align with 4 policies dealing with incompatible uses. Commercial access will require a paved apron and an access permit from the Nampa Highway District. Any plumbing to the shop will require SWDH evaluation or connection to city services. The City of Nampa opposes the request because if the property were to be annexed the use would not be allowed in a medium-density residential area. Neighbors' concerns are as follows: it's a business, no one lives there; the use is industrial because of the fabrication on the property which creates noise and debris; and commercial use changes the character of the residential neighborhood. Staff recommends the Board uphold the P&Z Commission's denial of this case. Following his report, Mr. Lister responded to questions from the Board.

The following people testified in favor of the appeal:

Chris Carpenter offered testimony in support of appeal for the applicant, Michael Rawdan, who believes the current use of the property is in character with the area as there are several other businesses that are not much different than his, although the other owners live on their premises. He said the business could have someone living on site but it would just be for the purpose of being able to conduct business. The business has continued to function on the property because they felt there was a gray area of not knowing how this would work out. Upon going through the P&Z Commission hearing, it seemed there was no acknowledgment of the fact there was a willing participant that would adhere to any conditions to keep the business functioning but instead focused on a lot of personal preferences. The owner has every intention of making this work and meeting the zoning requirements. They are hoping for a 7:00 a.m. start time so employees can pick up materials and get to job sites.

Lee Axelson testified she has lived in the area for 40 years and has no problem with the business. She finds the employees of the business to be very respectful.

Kelly Martin testified there has been a lot of emotional reaction to him being in the development. He offered to meet with the neighbors, but no one has approached him to talk about making a plan of how to do something different. He wants to be a good neighbor. In January, staff recommended approval of the request, but now staff is now recommending denial and he doesn't when or how that changed. He has a horse bordering facility on three acres, but he does not have the space there for this business. When he moved to the property he did not know he needed a CUP, but once he found out he needed one he applied for it and it took a long time to get to the hearing process.

The following people offered neutral testimony:

Mary Murray lives east of the subject property and her main concern is the zone change from agriculture to industrial. They do not want to be annexed into the City of Nampa due to the expense of connecting to city services. Once in a while they hear noise from the business, however, there are other existing businesses and new business going in all the time, so they have adapted to it.

Peggy Mimura had questions about whether the permitted use goes to the owner or the property and can the CUP change to some other use. She also had questions regarding plumbing water or sewer connections to the shop. Commissioner Holton said typically conditional uses are a condition that is only for this user. Mr. Lister said any water or sewer connections to the shop would be evaluated by the health department.

The following people testified in opposition to the appeal:

Kraig Wartman submitted photos of activity that occurred in April and spoke of how a semi-truck and a flatbed truck were parked in a street while an employee offloaded sheet metal. There have been larger delivery trucks for heating/AC units and materials over the last two years. He said neither the applicant nor the business owner live on the property, but most of those in opposition live in the neighborhood. Mr. Wartman had questions about the number of vehicles that will be allowed to be on the property if the business is expanded. The Board reviewed a video showing a truck parked in the road and bundles of sheet metal, as well as a lift vehicle going into the cul de sac and making a delivery to the storage area.

David Dieffenback lives in Hillcreek Subdivision which is a platted residential subdivision consisting of 80 homes. He said there are a few home businesses that are allowed by code that are owned and operated by the homeowner who lives in the home with their family. They use their personal vehicles and a trailer and are being used as single-family residences. Easy Heating and Air has moved into the subdivision which they use for their business operation, but no one lives in the residence. The business consists of 10 people, the owner and 9 employees, which exceeds the number of employees for a business as identified in the zoning code. They have three company trucks and trailers and a company van, and a car. The business should not be in the subdivision. He said they want to expand their operation to the lot across the street. In summary, the business is too large for a subdivision and the neighbors do not want this light industrial business in the subdivision.

Vicki Vink has lived on Mahogany Drive since 1975 and she has a hard time with the business because it's not an industrial area, it's a subdivision and the truck traffic affects the neighbors. She said the owner knew he needed a permit and he would not have gotten one if he wasn't pushed to get one. This location is not the place for this kind of business.

Kevin Werlinger testified this is a residential agricultural neighborhood on a dead-end street. His concerns are: the safety of his family; traffic; speeding by employees and delivery trucks; employees playing music loudly; disrespecting residents; and the negative impact to his quality of life.

Trina Patterson testified she lives next door to the subject property and she filed the initial complaint two to three years ago with code enforcement. She said the business has ignored violations and code enforcement filed a complaint with the Prosecuting Attorney's Office who set it aside due to the applicant applying for a CUP. She said the property owner does not own the business and nobody resides in the business as a residential dwelling. This is not the place to run

a commercial business. She said Mr. Martin indicated they were looking to expand to a bigger lot but were waiting to do so; however, as of May 12, Lee Axelson has been renting space to them and they have duct work stored at the Axelson house. They are manufacturing on the property, and they store their sheet metal in the driveway. They were given a cease and desist in January of 2022 yet they have continued to operate the business. Code enforcement told them to stop business until the CUP has been approved. Ms. Patterson said the business is an eyesore to the neighborhood. The other businesses in the neighborhood are small businesses, they don't have trucks and deliveries picking up duct work or materials stored in the back, and there's not a 6-foot privacy fence surrounding the property. She said they tried to work with Kelly Martin on a couple items but got nowhere. He should not be operating a commercial business in a residential neighborhood.

Ron Crumb submitted photos to backup Trina Patterson's testimony. He said he has shoveled Kelly Martin's driveway because it sits higher and when the snow melts it goes into Mr. Crumb's driveway causing damage. He describes it as a tent city. There is storage of duct work and selling of product. Mr. Crumb wanted the Board to look at videos showing the "tent city" and a windstorm.

It was noted that Commissioners Van Beek and Brooks were in favor of receiving the video and reviewing the photos that were submitted. Commissioner Holton was opposed.

Rebuttal testimony was offered by Chris Carpenter who acknowledges people are not happy with how things are working. He said people are pointing to a lot of resolutions, but the owners have not done those things because they don't know if they will be granted a permit. If the permit is approved they will fulfil the conditions that are imposed. He said Mr. Martin and Michael Rawdan are worthy of the attempt to put those things in place rather than to decide things should be done in an order that does not make business sense. The tent in the driveway is moveable and can be solved quickly and if they knew they were going to remain there, then there are a lot of things they can do that make sense to spend money on. He wants the opportunity to make something work and if it doesn't work then more action can be taken and they can take another direction. Regarding the City of Nampa's position, Mr. Carpenter said it is subjective and we have no idea when the city will come to that area. They would appreciate the opportunity to solve the problems and have a business that can be neighborhood friendly.

Commissioner Brooks made a motion to close public testimony. Commissioner Holton wanted to address the late evidence before closing public testimony. The Board viewed the videos. Dan Lister reviewed the late exhibits: #8 Draft BOCC FCO's, #9 Staff's PowerPoint presentation, #10 three (3) videos from Kraig Wartman, #11 Photos provided by Kraig Wartman, #12 Photos/Videos submitted by Ron Crumb. Commissioner Brooks withdrew his motion. Commissioner Van Beek made a motion to accept Exhibit Nos. 8, 9, 10, 11, and 12. The motion was seconded by Commissioner Brooks and carried unanimously. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Van Beek supports staff's recommendation to uphold the denial. Nampa's position is based on their comprehensive plan; this is a rural subdivision that predates the 1979

establishment of planning and zoning and mixing residential and industrial does not work and it creates conflict and civil disputes. There were 42 people in opposition, and she found their testimony to be protecting a way of life. It's injurious to the neighbors. A cease and desist was not followed. The applicant has said they are willing to do what it takes, but she has not seen anything to overturn the denial and support the request. She said the proximity of the business to the Patterson and Crumb property is staggering. Commissioner Brooks asked if the permit is approved at what point would the business be too large to continue in the current location. Mr. Lister said they would restrict the use through conditions and either they do not meet the conditions and we rescind it, or they come back with a modification to grow bigger. If they go beyond what they said they are going to do they will have to come back through a CUP process and at that point it could be decided to be too much. The idea of a CUP is to lock the use down as determined by the hearing body and accepted by the applicant. Commissioner Brooks said we have a successful business looking to expand in the same spot and he doesn't want to prohibit the growth of business by approving a CUP where we will be in the situation again. The entire area is zoned incorrectly, and he doesn't know the remedy for that. He cannot find legal standing to support overturning the denial by the P&Z Commissioner and in doing so limiting the growth of a very successful business. Commissioner Van Beek said it does not make sense that the business owner didn't know they needed a permit, and in the process of evaluating that information there had to be red flags along the way. Commissioner Holton said he was looking for specific substantial evidence that would help him against the findings of the P&Z Commission on items 4, 6, & 7 but he was unable to completely derive any help against what the P&Z Commissioner decided upon and he does not see any testimony that overrides what the P&Z Commission's denial stated. Commissioner Brooks noted the concern of a P&Z Commissioner who was concerned that if they denied the request how long would the business have to relocate. Mr. Lister said they would have to work with code enforcement. The property has been in violation since 2021 and this was the mechanism for abatement, other than rezoning the property which may not be realistic. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to deny the appeal for Case No. CU2022-0004-APL. The hearing concluded at 3:00 p.m. an audio recording is on file in the Commissioners' Office.

MAY 2023 TERM
CALDWELL, IDAHO MAY 17, 2023

Today the Board toured Celebration Park and the George W. Nourse Gun Range. There were no motions, action items, or Board direction entertained or given.

MAY 2023 TERM
CALDWELL, IDAHO MAY 18, 2023

RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board approved resolutions granting beer/wine/liquor alcoholic beverage license renewals as follows:

- 23-123 RENEWAL: Beer/Liquor: The Hop House, LLC dba The Hop House; New Empire, LLC dba The Blue Eye; The Tilted Ace, LLC dba The Tilted Ace
- 23-124 RENEWAL: Beer/Wine: Canyon Golf Partners dba Red Hawk Golf Course; and Caldwell Hospitality Group, LLC dba Best Western Inn & Suites
- 23-125 RENEWAL: Beer/Wine: Aloha Island Grill, LLC dba Aloha Island Grill; D&S Panasiuk, LLC dba Grocery Outlet of Nampa
- 23-126 RENEWAL: Beer: Maria Sarmiento dba Alondras Store; Uppercuts Barber Shop, LLC dba Uppercuts Barber Shop/Upperclass Beauty Salon
- 23-127 RENEWAL: Beer/Liquor: Yogi Farms, LLC dba H&M Meats and Catering

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Craft Lounge to be used 7/6/23, 8/3/23, 9/7/23, 10/5/23, 11/2/23, 12/7/23, 6/15/23, 7/14/23 and 6/1/23.
- The Board approved Idaho Liquor Catering Permits for O'Michael's Pub & Grill to be used on 6/17/23, 6/10/23 and 6/3/23
- The Board approved Idaho Liquor Catering Permits for Raising Our Bar to be used on 6/2/23, 6/3/23, 6/4/23, 6/9/23, 6/10/23, 6/16/23, 6/17/23, 6/23/23, 6/24/23, 6/25/23 and 6/30/23.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- ZoHo Corp. in the amount of \$7310.00 for the Information Technology department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Eulalia Corvera, Customer Service Specialist – Records 41004; Ryan Mills, Deputy Judicial Marshal; Curt Barr, Criminalist – Crime Lab 41005; Travis Houde Reimer, Corporal – Inmate Control 51003; and Jason Yano, Temporary Weed and Pest Applicator.

FILE IN MINUTES

Treasurer's monthly report for April 2023.

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

The Board met today, May 18, 2023 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, COO Greg Rast, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel (left at 9:38 a.m.), Solid Waste Director David Loper (left at 9:54 a.m.), Clerk Chris Yamamoto (left at 9:38 a.m.), Recording Supervisor Emily Howell (left at 9:38 a.m.), Jason Warner with Western States Cat (left at 9:48 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Revised Alcohol License Application Form Removing Notarization Requirement: Clerk Yamamoto explained that during COVID when the state and city offices closed they changed how they processed alcohol licenses and did away with the need for notarization. During this time the Records' office stayed open and continued on as usual not realizing the cities and state had changed practice. Legal has reviewed the requirement and identified that notarization of the documents is not necessary so the forms have been amended to remove the notarization. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the revised forms.

On a related topic, discussion ensued regarding law enforcement review of the license applications. Mr. Wesley said he will look into this issue further for more in-depth conversation at a later time.

Consider Notice of Sole Source Procurement for a 2023 Caterpillar 623K Wheel Tractor Scraper for use at the Pickles Butte Sanitary Landfill: Director Loper said that this purchase was planned for the FY24 budget but due to severe lead times the process needs to start well in advance of new fiscal year. Mr. Warner spoke to lead times with Caterpillar, however this particular machine was procured by Western States Cat for their rental program but they are willing to sell it to the County. Cat is the only one that makes this specific machine and they are on the Source Well contract so the purchase qualifies for sole source but the noticing requirements are being followed for good measure. The cost of the machine is \$1,131,000 with a \$300,000 buyback. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the notice of sole source procurement for a 2023 Caterpillar 623 Wheel Tractor Scraper for use at the Pickles Butte Sanitary Landfill.

Consider Signing FY23 Pickles Butte Sanitary Landfill Gas Collections System and Flare Station Component Electrical Installation Project Agreement: This is the electrical component of the project. Director Loper explained it was done this way due to lead times and being able to select a local vendor in order to start procuring components for the project. The contract has been reviewed by legal. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the FY23 Pickles Butte Sanitary Landfill Gas Collections

System and Flare Station Component Electrical Installation project agreement with Southern Idaho Electric, Inc. (see agreement no. 23-056).

Director Loper spoke about the pre-meeting that will be happening next week between the project contractor and the electrical contractor.

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 9:55 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 Holton. 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 Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson and Deputy P.A. Zach Wesley. The Executive Session concluded at 10:05 a.m. with no decision being called for in open session.

Consider reasonable accommodation and settlement agreement with Moonlight Mountain Recovery, Inc. and D & W Investments 201, LLC for 13963 Purple Sage Rd, Caldwell, ID: Mr. Wesley requested that this action item be continued and placed on the agenda for May 30th with the legal staff update.

The meeting concluded at 10:07 a.m. and an audio recording of the open portion is on file in the Commissioners' Office.

MEETING WITH SHERIFF'S OFFICE REGARDING EMPG GRANT

The Board met today, May 18, 2023 at 10:09 a.m. with the Sheriff's Office regarding the EMPG Grant. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, COO Greg Rast, Controller Zach Wagoner, Cpt. Ray Talbot, EOM Christine Wendelsdorf and Deputy Clerk Jenen Ross.

The Sheriff's Office is requesting to adjust the approved EMPG budget line item. In FY2023 \$75,000 was allocated for a new position within Emergency Management. It is anticipated that the position will not be filled until FY2024 which allows for those funds to be reallocated. Along with a vehicle for the Emergency Operations Manager there are a couple smaller projects they'd like to address. The total amount that could be reallocated without going over budget is \$85,000. Controller Wagoner said this could be done and reconciled at the end of the fiscal year.

Commissioner Holton made a motion to authorize the adjustment to the Emergency Management budget as presented by Controller Wagoner and Cpt. Talbot noting it is still staying within the

budget as approved for 2023. He then made an amended motion that he is in favor of what has been presented and formal action will be taken at the end of the fiscal year. Commissioner Van Beek seconded the motion which carried unanimously.

The meeting concluded at 10:17 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH ASSESSOR AND IT TO DISCUSS TAX REPORTING APPLICATION VIA PUBLIC WEBSITE

The Board met today at 10:33 a.m. with Assessor Brian Stender and IT staff to discuss a tax reporting application via the County's website. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Assessor Brian Stender, Appraisal Supervisor Greg Himes, IT Director Eric Jensen, IT Project Manager Shawn Adamson, and Deputy Clerk Monica Reeves. Assessor Stender informed the Board of some online tools he wants to use so the Assessor's Office can post reports for public accessibility. The reports will include:

- A 5-year assessment and annual tax report that shows the breakdown of the overall tax bill and how it's distributed. It doesn't show how the tax burden is shifting between commercial, industrial, residential and agricultural properties.
- Operating property with residential, commercial, industrial, and agriculture that shows the breakout of values and how it's changed each year.
- Show the tax authority for taxing districts.
- Top 10 taxpayer report that is selectable by year.

IT Director Jensen estimates IT is looking at 200 hours in development time and operations. There was discussion regarding where this request fits on the priority list for the other projects IT is working on. Due to staffing and other projects, it may be October before the program is ready. The Assessor and IT will have another workshop for further discussion and another meeting will be held in August. Commissioner Holton or Commissioner Brooks will meet with the Assessor to go over the potential reports that are more simplistic to post and get a prioritization of the reports that will be posted. The meeting concluded at 11:07 a.m. an audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE COUNTY FAIR

The Board met today at 11:09 a.m. for the FY2024 preliminary budget workshop for the County Fair. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Fair Director

Diana Sinner, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, and Deputy Clerk Monica Reeves. Highlights from the workshop were:

Revenue:

Facility rental revenue is lower than expected. It's anticipated that revenue will reach budget due to added fair building rentals in June and July and The Center being available to host events. Weather and concert popularity affect revenue. Concert ticket sales are exceeding prior record years.

"A" Budget salaries and benefits:

- No new position requests or upgrades to position are requested for FY2024. They will focus on succession planning in the next year.
- Requests an increase based on market adjustment or to compensate based on performance.
- Director Sinner has met with the Facilities Director regarding staffing for the facility for the Fair facilities throughout the year and during the Fair. Director Britton is requesting two staffers to help with Fair and their interim events.

Capital Assets:

Swine Pen Replacement: \$100,000

HVAC - Fair Building Concession Stand/Rabbit Barn: \$20,000

Utility Vehicle - Replacement: \$18,000

Swine Pen Racks: \$5,000

Fair Building Office Remodel: \$5,000

There was a review of expenses and it was noted the only major expenses are in event production and utilities. Director Sinner said we need to look at the Fair building and whether we want to produce events given the amount of labor that's involved for the amount of revenue we receive. The building is needed during the Fair, and for the long term she's talked about building livestock facilities closer to The Center and bringing the horse show back to the facility where they can use the building, the Charolais barn and the rodeo arena for horse events. She would like to install a concrete floor and either have events that aren't so labor intensive, or use it for storage. Another option would be to install portable flooring. There are groups who use the facility that are important to this County and to the Fair, but in the end the County is subsidizing it. They are currently investing a lot of man hours in something that's not breaking even. Commissioner Holton said it deserves more study, and it bothers him that it's a cash negative situation. There was discussion regarding the significant increase in equipment rental costs and how it would be better to purchase equipment, such as a generator that could be used by the Fair and the Elections Office,

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

FY2024 PRELIMINARY BUDGET WORKSHOPS

The Board met today at 2:01 p.m. for FY2024 preliminary budget workshops. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Sarah Winslow, HR Director Kate Rice, HR Generalist Jennifer Allen, HR Generalist Cindy Lorta, HR Generalist Kendra Elgin, HR Generalist Demi Etheridge, Sr. Administrative Specialist Anna Gray, DSD Director Sabrina Minshall and DSD Planning Official Dan Lister (arrived at 2:18 p.m.), Code Enforcement Officer Eric Arthur (arrived at 2:23 p.m.), Office Manager Jennifer Almeida and GIS Analyst Tony Almeida (arrived at 2:25 p.m.) and Deputy Clerk Jenen Ross.

HR

- Salaries and Benefits
 - Wages are in alignment with other SW Idaho public sector agencies
 - Director Rice would like to match salary increases provided by other local entities in order to keep the salary momentum created in FY22 and FY23 with the COLA increases and in order to avoid the county finding itself in a compensation deficit again.
 - Specialty pay for bilingual employees
- Personnel
 - Increase in hours for the HR Investigator from 25 hours per week to 30 hours per week due to increased number and severity of employee investigations, new vehicle use policy, increase in mortgage verification of employment requests and increase in the number of new employee background checks
 - The Board would like Director Rice to look into services which may assist in collecting a fee for the mortgage verifications
 - Fulltime Safety and Risk Manager
 - Some costs associated with this new position would be to reconfigure a space that could be shared by the part-time employees in order for the Safety and Risk Manager to have a dedicated office space; there will also be needs in regard to technology that will be necessary.
- Projects
 - \$1.1M request
 - Management handbook & quick reference guide
 - Enhanced employee and supervisor training opportunities
 - Written safety program
 - Online position requisition form and process
 - In-person wellness and benefits fair

- Employee engagement survey
 - Bilingual specialty pay
- PowerPlan line item review
 - Misc. professional services – HR components of the ADP module
 - Document shredding – 10% increase
 - Copier contract – one copier/printer will be removed
 - Cell phones – Safety Manager and HR Investigator
 - Education and training – would like to get 5 staff members SHRM certified
 - Subscriptions – Salary.com subscription will not be renewed in FY24
 - Computer equipment – per IT recommendations
 - Small office equipment – small scanner
 - Office furniture – material for a larger conference room table and two new cubicles for the 2 part-time employees who will be moving spaces and a desk for a Risk and Safety Manager

The Board recessed from 2:48 p.m. to 2:55 p.m.

DSD

- Personnel - \$2,978,581
- Non-personnel - \$569,685
- Revenue assumptions - \$2,379,498
- Total budget request - \$3,548,266

Personnel

- Change in structuring to move from 33 fulltime and 2 part-time positions to 33 fulltime positions and no part time positions

Capital assets

- Replacement of 2 vehicles per the Fleet recommendation

Review of revenue assumptions

- FY24 revenue assumption: \$2,379,498, this is an assumed decrease of 19.8%
 - 3-year financials: October 1, 2019 to September 30, 2022 – DSD revenue in excess of expenditures was \$1,855,189
 - Proposing a fee study for all DSD fees to be completed for use in FY25 budget
 - Proposing a code enforcement administrative fee in FY24
 - Tracking of employee time on core functions to inform appropriate funding sources in the future
 - Tracking of employee time on representative case times and actions to document level of effort to equate with fee structure

Professional consultants: \$105,000

Engineers: \$40,000
Misc. Professional Services: \$41,000
Service contracts: \$29,320
Education/training/airfare/hotel: \$41,000
Subscriptions: \$5,380
Software: \$57,500
Small office equipment: \$3,800

The meeting concluded at 3:48 p.m. and an audio recording is on file in the Commissioners' Office.

MAY 2023 TERM
CALDWELL, IDAHO MAY 19, 2023

No meetings were held this day.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Master Plumbing in the amount of \$1,933.00 for the Facilities department
- WBS in the amount of \$1,766.39 for the Facilities department
- Air Gas USA, LLC in the amount of \$3,214.00 for the Fleet department

APPROVED CLAIMS

The Board has approved claims 594933-594979 in the amount of \$24,898.94

MAY 2023 TERM
CALDWELL, IDAHO MAY 22, 2023

No meetings were held this day.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- MHS in the amount of \$1,037.59 for the Misdemeanor Probation Department
- Wasp Barcode in the amount of \$1,977.00 for the Information Technology Department
- Carbon Networks in the amount of \$1,500.00 for the Information Technology Department
- Dell in the amount of \$9,229.44 for the Information Technology Department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Amy Kindberg, Part-time housekeeper; and Lily Brown, Avery Koonce, Paige Calley, and Summer Calley who will be Canoe Science Camp Field Instructors.

APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Curt Barr.

MAY 2023 TERM

CALDWELL, IDAHO MAY 23, 2023

APPROVED CLAIMS

The Board has approved claims 594683 ADV in the amount of \$105.00

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Julia Guzman, Canoe Science Camp Field Instructor; Alexis Haddad, Clerk II; and Joe Nathan Decker, Public Information Officer - Field Services Admin. 41001.

RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board approved resolutions granting beer/wine/liquor alcoholic beverage license renewals as follows:

- 23-131 RENEWAL: Cappuccino Cowgirl Bistro, LLC dba Cappuccino Cowgirl Bistro; Precept Brands, LLC dba Ste. Chappelle Winery/Sawtooth Winery; Sol Invictus Vineyard, LLC dba Sol Invictus Vineyard; Summit Auctions, LLC dba Summit Auctions; Fred Meyer Stores, Inc., dba Fred Meyer #226; Ridley's Family Markets, Inc., dba Ridley's Family Markets
- 23-132 RENEWAL: Beer/Liquor: Clifford Randall Raymond dba Red Dog Saloon
- 23-133 RENEWAL: Beer/Wine: Intermountain Food Stores, Inc. dba M&W Markets #6; Intermountain Food Stores, Inc. dba Franklin Junction; Parkland USA Corporation dba KJ's 80218

CONSIDER RESOLUTION APPROVING CHANGES TO THE JOB TITLE, JOB DESCRIPTION AND SALARY OF ONE POSITION IN THE SHERIFF'S OFFICE

The Board met today at 1:03 p.m. to consider a resolution approving changes to the job title, job description and salary of one position in the Sheriff's Office. Present were: Commissioners Brad

Holton and Zach Brooks, Chief Deputy Sheriff Doug Hart, HR Generalist Cindy Lorta, COO Greg Rast and Deputy Clerk Jenen Ross. Chief Hart spoke about how for many years the county has had a shared PIO but it has come to the point that the Sheriff's Office needs a dedicated in-house person who will report directly to the Sheriff. A vacant Senior Administrative Specialist PCN will be reclassified to a Public Information Officer PCN. For FY2023 there is enough buffer within the 'A' budget to absorb the salary difference and the salary will be budgeted in future budgets. For the time being this person will also assist the PA's and Clerk's Offices with public records requests and elections. In the future the job description can be reevaluated to divide duties if or when the county hires a new PIO. Upon the motion by Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution approving changes to the job title, job description and salary of one position in the Sheriff's Office (see resolution no. 23-130).

The meeting concluded at 1:09 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 1:16 p.m. to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Solid Waste Director David Loper (left at 1:18 p.m.), Facilities Director Rick Britton, Fair Director Diana Sinner (left at 1:22 p.m.), COO Greg Rast, Fred Butler (left at 1:18 p.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution appointing SWAC Board member: This is to appoint Fred Butler to the SWAC who will represent the City of Middleton area. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to sign the resolution appointing Fred Butler as a SWAC Board member (see resolution no. 23-129).

Consider Notice of Intent to Award Lowest Bid for Canyon County Fair Event Center Fence Project: A bid was received from Meridian Fence one day past the deadline. Mr. Wesley explained that code provides for the county to waive the defect and accept the bid although the records will need to be maintained for 6 months. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the notice of intent to award lowest bid for the Canyon County Fair Event Center project to Meridian Fence.

Considering Addendum #1 for Design/Engineering Services for the County Elections Building Project: Mr. Klaas and Director Britton explained there were a couple questions and a ministerial item addressed in this addendum. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign addendum #1 for Design/Engineering Services for the County Elections Building project.

The meeting concluded at 1:25 p.m. and an audio recording is on file in the Commissioners' Office.

CANVASS MAY 16, 2023 ELECTION RESULTS

Today at approximately 1:40 p.m. the Board went to the Canyon County Elections Office to canvass the May 16, 2023 elections results. Supporting documents are on file with this day's minute entry.

PUBLIC HEARING - REQUEST BY GREGORY AND ANN OBENDORF FOR A CONDITIONAL REZONE FROM AN AGRICULTURAL ZONE TO A SERVICE COMMERCIAL ZONE, CASE NO. RZ2022-0007

The Board met today at 2:00 p.m. to conduct a public hearing in the matter of a request by Gregory and Ann Obendorf, represented by BRS Architects, for a conditional rezone of a 12.6-acre portion of parcel R32686 from an "A" (Agricultural) zone to a "C-2" (Service Commercial) zone. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Official Dan Lister, Todd Lakey, Patrick Colwell, Alan Mills, Curtis Chrystal, Bill Werhane, Keri Smith, other interested citizens, and Deputy Clerk Monica Reeves. The Board previously heard this case on February 15, 2023 and voted unanimously to provide conditional approval and directed staff to amend the FCO's for items A, B, and G and to also amend the development agreement. Because the decision was a material change to the P&Z Commission's recommendation, a second public hearing was required and is being held today. Dan Lister gave the oral staff report and reviewed the history of the case and discussed the changes to the development agreement based on direction from the Board. The conditional rezone is only for a portion of the 12.6-acre parcel. The proposal is for a three-phased request:

Phase 1: Gas station with a convenience store at the corner of Farmway Road and Karcher Road on a 3-acre lot; and

Phase 2: A seasonal farmers market on a one-acre lot; and

Phase 3: A carwash accessory to the gas station and some commercial lots along Karcher Road. As part of the development agreement, Phase 3 would not occur until city services are available.

Following his report, Mr. Lister responded to questions from the Board.

The following people testified in support of the proposal:

Todd Lakey, the applicant's representative, testified that staff's initial recommendation to the P&Z Commission was for approval and he appreciates the thorough analysis. The Obendorfs are a longtime Canyon County Ag family and their conditional rezone applies only to the 12 acres. The proposal fits with the City of Caldwell's comprehensive plan and the County's comprehensive plan. It meets the requirements of the zoning ordinance and is compatible with the surrounding area. Mr. Lakey testified we need more commercial and industrial designations in Canyon County and this proposal accomplishes that with the fuel station, farmers market, and the carwash uses. A traffic impact study was completed. There is a signalized intersection at Farmway Road and there will be a right-in and a right-out and the applicant has to contribute to the design and construction

of a center median. Mr. Lakey testified that a C-2 designation is more appropriate in this area than an agricultural designation on the 12 acres.

Pat Colwell testified about the technical aspects of the proposal and reported that the applicant has worked with the following agencies to obtain approval: Southwest District Health, the Idaho Department of Water Resources, Canyon Highway District #4, and the Idaho Transportation Department.

Curtis Chrystal offered testimony regarding the site plan and amenities that will come with the site which include a fuel station, car canopy, EV charging stations; landscaping, the approach from Farmway Road; a dog walking area for travelers; and an outdoor seating area for eating.

Alan Mills offered testimony about the positive impacts to the tax base and the County and how the proposal will bring balance to the area.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Van Beek said the applicant was responsive to questions at the last hearing and they have been willing to work with the Board. The proposal represents ag tourism and support agriculture through the sale of those products. The highway improvements will take out the ability of Lakeview Fruit to continue to operate there as it exists today. She supports the request with the phased planning. Commissioner Brooks said he voted in favor of the application at the last hearing and he has heard nothing that causes him to second guess his decision. Commissioner Holton agreed, and said the development agreement cannot be signed today as the applicants have not signed it. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the request by Gregory and Ann Obendorf, represented by BRS Architects, for a conditional rezone of a 12.6-acre portion of parcel R32686 from an "A" (Agricultural) zone to a "C-2" (Service Commercial) zone, with the approval documents to be signed at a later date. The hearing concluded at 3:05 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2023 TERM
CALDWELL, IDAHO MAY 24, 2023

APPROVED CLAIMS

- The Board has approved claims 595025 to 595073 in the amount of \$250,104.37
- The Board has approved claims 594807 to 594849 in the amount of \$79,760.28
- The Board has approved claims 594858 to 594898 in the amount of \$36,010.93
- The Board has approved claims 594899 to 594913 in the amount of \$6,383.00
- The Board has approved claims 594914 to 594932 in the amount of \$15,844.00
- The Board has approved claims 594980 to 595024 in the amount of \$118,273.55

- The Board has approved claims 595074 to 595106 in the amount of \$51,273.61
- The Board has approved claims 595107 to 595155 in the amount of \$69,447.14
- The Board has approved claims 595156 to 595198 in the amount of \$50,236.01
- The Board has approved claim 595199 ADV in the amount of \$1,500.00
- The Board has approved the May Elections claim in the amount of \$16,346.00

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for Legends Sports Pub & Grill to be used 7/1/23.

RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board approved resolutions granting beer/wine/liquor alcoholic beverage license renewals as follows:

- | | |
|--------|---|
| 23-134 | RENEWAL: Beer/Liquor: Red Robin International, Inc. dba Red Robin Gourmet Burgers & Brews; Tacos Y Mariscos El Compa, LLC dba Tacos Y Mariscos El Compa; IOU Sushi II, LLC dba IOU Sushi II; Salon Columbia Event Center, LLC dba Salon Colombia Event Center; Grit Ground Game, LLC dba Grit |
| 23-135 | TRANSFER: Beer/Wine: Sawtooth Sockeyes, LLC dba Sawtooth Sockeyes |
| 23-136 | RENEWAL: Beer/Wine: Sawtooth Sockeyes, LLC dba Sawtooth Sockeyes |

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE FLEET DEPARTMENT

The Board met today at 9:02 a.m. for FY2024 preliminary budget workshop for the Fleet Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Fleet Director Mark Tolman, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, and Deputy Clerk Monica Reeves. Director Tolman reviewed his budget which is very similar to last year's budget, less the car wash. This year's Fleet budget is similar to last year's, less \$172,600 which included the carwash. Highlights were as follows:

Capital Asset Requests

- Ford Explorer SUV or Hybrid \$48,000
- Contingency to cover expense of vehicle changes \$12,000
- Replace two 12,000 # vehicle lifts \$17,200

FY2024 Vehicle Requests:

Sheriff: \$796,000

14 patrol units \$50k each

2 CID vehicles @ \$48k

DSD: \$100,000

2 pickups @ \$50k

Juvenile Probation: \$96,000

2 pickups @ \$48k

Facilities: \$110,000

1 super duty truck @ \$60k

1 pickup @ \$50k

Fleet: \$60k

1 motor pool replacement at \$60k

Prosecuting Attorney: \$48k

1 vehicle @ \$48k

Solid Waste: \$53,000

1 pickup @ 53k

Weed/Pest: \$60,000

1 F-350 @ \$60k

Total cost of vehicles: \$1,323,000

2024 Machinery line request/notes

Fair

1 side-by-side utility can am @ \$18k

Facilities

1 truck tailgate lift @ \$8k

Total: \$26,000

Shop fees: Director Tolman planned on \$70,000, but he estimates there is another \$70,000-\$80,000 of work for outside agencies. The cost of overhead has gone up so the shop fees were increased.

There was discussion regarding the vehicle consolidation proposal to put funds for fleet vehicles in one budget line item. Controller Wagoner prefers to use other monies before using county taxpayer monies; for instance, when we have lottery tax or cigarette tax money from the state we can use it to purchase vehicles and that's why those dollar amounts are in specific budgets. Commissioner Van Beek is in favor of the Fleet Director having the purchasing authority to

negotiate the deals. The object number becomes attached to the division of the department/office that is purchasing the vehicle and that contingency will go back into the Fleet program. It's greater transparency and dedicates the funds toward the intended purposes. Controller Wagoner said that's how it's being done now where we know which budgets have dollar amounts for vehicles and Director Tolman knows what the plan is and he makes the deals. It's merely an accounting exercise to take it from the right bucket of money. Commissioner Brooks asked why it's spread out in multiple departments, and he said the line items could be under the Fleet budget. Controller Wagoner said that could be done, but the preference would be to use the state money first instead of local property tax. The Fleet budget is in the current expense fund. The juvenile probation fund receives lottery tax money, specific to that fund so we would need to show that the lottery tax monies purchased a vehicle. Greg Rast asked what it would look like to put current expense into Fleet and separate the rest because consolidation could help Director Tolman with bulk buying. Controller Wagoner spoke about how they are trying to show the full true cost of offices/departments. Director Tolman said it's not so much about bulk buying as it is if one department goes over and other is under budget then he could utilize that money. Can we work out a way to see what the balances are to make sure it was paid out in order to close out his process with a purchase? If someone budgets \$96,000 for two pickups and they only purchase one and use the money for something else it causes issues with the vehicle rotation. Commissioner Holton said if the amounts have been budgeted for vehicles they cannot use it for something else. The money has to be committed for vehicles. Controller Wagoner said the Auditor's Office sees it the same way. Commissioner Van Beek has concerns about transparency and she believes it's wrong to not empower the Fleet Director to have the buying authority, and it deserves a bigger conversation. Commissioner Holton said the Controller gives the Fleet Director a list of all vehicles in the budget that he has the availability and power to purchase. Maybe it requires a workshop so we can make sure we are doing what's the most transparent to the taxpayer. Clerk Yamamoto said putting the vehicle purchases in the department/office that they're actually used is transparent and utilizing the nontaxpayer funds and having them in the specific funds is what the outside Auditor wants to see. This topic will be discussed further at a later date

Staffing:

The wage grade for the specialty technicians having mechanical and upfitting years of experience are considered a wage range 12 and should be at least a 13 in order to be competitive with both local government and private business. Losing employees could put the department two years behind in getting the vehicle upfitting work completed. If the wage ranges can't be adjusted he requests approval of specialty pay for the technician/upfitter positions. For FY2024 he has a part-time position and is working on the job description for implementation. Commissioner Holton said the Board needs to have another meeting to discuss staffing needs for Fleet.

The meeting concluded at 9:53 a.m. An audio recording is on file in the Commissioners' Office.

The Board met today at 10:08 a.m. for FY2024 preliminary budget workshop for the Facilities Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Facilities Director Rick Britton, Maintenance Superintendent Carl Dille, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, Facilities Office Manager Becky Kearsley, Customer Service Specialist Jodi Edwards, and Deputy Clerk Monica Reeves. Highlights were as follows:

Last year Director Britton budgeted \$50,000 for overtime, but this year he is requesting \$60,000 due to increased duties at the lake parks.

Staffing Requests:

- 1 Construction Project Manager position to help with procurement and contracts. Would assist or act as the County owner's rep.
- 2 Housekeeping positions – 1 new additional floor care specialist and 1 new position to help cover the Fair expo after large events and partnering the juvenile detention center maintaining staff bathrooms and deep cleaning the facility.
- 2 Maintenance Tech positions to set up for events at the new Fair event center and at the old fairgrounds.
- Hazard pay for 1 jail maintenance employee
- Upgrade 2 Maintenance Tech II positions to Maintenance Specialist positions
- Apprenticeship program for Apprentice Electrician finished 1st year and passed the final

Capital Asset Requests:

Courthouse fire sprinklers \$753,361.29
animal shelter flat roof \$54,284
replacement

Fleet vehicle shop heating \$72,000
and air conditioning

Elevator Control Upgrade \$81,878

Pump and Motor East side \$100,000
cooling tower

Window film for Admin
Building south side for heat \$18,000
and glare

New awning for Facilities \$50,000

Used Scissor Lift \$12,500

Animal Shelter

Need to replace the washer and dryer.

The West Valley Humane Society (WVHS) has requested a few upgrades, but Director Britton wants a workshop with the Board about who is paying for it. They want a modular to help with office space and they want to do their own cremation but there is a lot of infrastructure involved with that.

The County budgets \$200,000 for shelter operation, and in the past has budgeted \$100,000 but this year we budgeted \$60,000 for maintenance/building upkeep. The Board will meet with the WVHS staff. The County has dedicated funds for the maintenance of the facility. Greg Rast asked how the \$100,000 got in the Director Britton's budget. Controller Wagoner said it has been used in the past, the line item was there. Director Britton said he entered the \$100,000 amount associated with the line item.

The Board will have a workshop for the Clerk and Facilities to talk about how to maintain the animal shelter.

Director Britton said the Fair Director wants to purchase new pig pens, which he supports due to safety concerns and the amount of time it takes staff to work with the current configuration.

There was discussion on the following topics:

- Upcoming fiber work, and the possibility of using ARPA funds for work on the Elections building and A&E fees
- Benefits of buying in bulk
- Process of breakouts and chargebacks to departments/offices
- Consolidation of the Facilities budget (to simplify tracking process)

Controller Wagoner said departments/offices are asked to track and record so we can utilize those unique funding sources outside of regular property tax or sales tax. Mr. Rast said there are so many inconsistencies throughout the County with knowing what the true cost is for the offices/departments and so consolidation/bulk buying makes sense to him for current expense. If we are going to do this with capital improvements we should be probably look throughout the County, such as with the printshop for example. He wants to be careful about burning up staff time for an accounting exercise versus doing the work. Clerk Yamamoto said bulk buying in Facilities makes sense where we are talking about thousands of items as opposed to the Fleet budget where we're talking about 15 cars. He said they are trying to utilize all of the non-property tax money and they do it where it makes sense. The Auditor's Office wants to make sure they have the tracking in place as to what the money was expended for and where. In order to utilize every penny of the non-property tax money we need to track it. Controller Wagoner said they are trying to protect the taxpayer. When juvenile detention is trying to determine what to bill other

entities they are looking at what came out of their specific budget and if we have the costs for larger projects in another budget we are not recouping the full cost of providing that service and the taxpayers are on the hook to make up the difference. When it makes sense for significant projects we want to make sure we do the best we can to capture the full cost so we get a full reimbursement to protect the taxpayers. Commissioner Van Beek said the directors are able to track costs and bill a line item with an object number and they can generate a report that showing it. Discussion ensued with Director Britton explaining his process for tracking and billing for projects. Mr. Rast said consolidation of these costs of current expense allows that extra bulk buying to do ad hoc projects. There are so many projects happening through the year that are not planned and are not charged back to the offices/departments (such as the construction of the Chief Operating Officer's office in the Commissioners' office area) and it's not a true reflection of that office/department. Clerk Yamamoto said if we have all of that money that is specific to juvenile detention or misdemeanor probation for instance and it goes into the Facilities budget instead and they bill them and we get audited it is not going to work. It was determined that this topic requires further discussion.

The meeting concluded at 11:33 a.m. An audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE WEED AND PEST DEPARTMENT

The Board met today at 11:46 a.m. for FY2024 preliminary budget workshop for the Weed and Pest Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek Facilities Director Rick Britton, Facilities Office Manager Becky Kearsley, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, and Deputy Clerk Monica Reeves. Director Britton was recently assigned to manage the Weed and Pest Department and his budget review highlights were as follows:

Weed budget:

- \$2,500 for comp time/OT this year. The expense is worth the benefit of getting the job done. Part-time employment is not working so Director Britton is consider changing the weed and pest part-time positions to 1 or 2 temporary positions to work 5 months of the year, or, combine those positions into fulltime staff.
- Cancelled service contract for bottled water
- Increase in chemical costs
- \$60,000 truck replacement
- \$10,000 for machinery (update pumps)
- Request for laptops in all tech vehicles so they can do field reports and view GIS

Commissioner Holton said he's gravely concerned about the weed control fees income because we are grossly upside down on what the going rate is. The fees need to be significantly increased. Director Britton agreed and said he is scheduled to meet with the Board on May 30 to consider a rate increase. Controller Wagoner said this is a conversation they've had every year with the prior director and he is glad to hear Commissioner Holton wants to charge a fair, reasonable fee for the cost of services.

Pest budget:

- OT budget has increased \$2,500.
- Staff will be certified to spray weeds and if we get caught up on the pest side they can help on the weeds, if needed.
- Thus far \$10,366 has been paid out of the \$25,000 gopher bounty budget.

There was discussion regarding the breakdown on what it costs to build owl boxes, and whether there is value in having more owl boxes in circulation. The meeting concluded at 12:13 p.m. An audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR PARKS, CULTURAL, AND NATURAL RESOURCES

The Board met today at 1:31 p.m. for the Parks, Cultural, and Natural Resources Department FY2024 preliminary budget workshop. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto (left at 2:13 p.m.), Controller Zach Wagoner (left at 2:13 p.m.), Accountant Sarah Winslow (left at 2:13 p.m.), Parks Director Nicki Schwend (left at 2:23 p.m.), Assistant Park Director Laura Barbour (left at 2:23 p.m.), COO Greg Rast, Facilities Director Rick Britton (arrived at 1:34 p.m. and left at 2:13 p.m.) and Deputy Clerk Jenen Ross.

Director Schwend reviewed the following with the Board:

- Revenues: grant monies that are reimbursement grants
- Part-time staffing: budget to remain the same
- \$21,600 for the Canoe Science Camp program
- Requesting 2 additional fulltime staff – Person to oversee operations at Celebration Park and a Historic Preservation Officer
- Misc. professional services: engineering/design services, erosion mitigation and assistance with grant writing
- Gun Range: initiating long-term plan and some construction at Board direction
- Exhibits: additional interpretive signage at Celebration Park and archaeological materials for the mezzanine space at Celebration Park
- Office supplies: additional mezzanine and staff

- Building supplies and materials: base request at \$10,000; window actuators for the Crossroads Museum; A/C unit for the mezzanine
- Ground maintenance supplies: due to increased cost of supplies
- Repair and maintenance supplies: contingency line
- Security systems: upgraded radios for staff at Celebration Park
- Janitorial supplies: line has been separated from maintenance supplies for better tracking
- Uniforms: vests for employees to wear at Celebration Park to more clearly identify staff from visitors
- Computer equipment: per IT recommendations
- Office furniture: mezzanine space
- Other improvements: HPC grant reimbursement
- Capital construction contracts: decking at an estimated cost of \$225,000
- Other improvements: Idaho Department of Parks and Waterways Improvement Fund grant match requirement
- Nothing has been included in the budget for acquiring land; Director Schwend feels she needs clearer direction from the Board as to what they'd like to see for expansion; an appraisal is set to be done on a potential property purchase. Commissioner Van Beek would like to see money added to the budget for possible acquisition of land.

Consider resolution reappointing Nicki Schwend to the Historic Preservation Commission: Director Schwend gave a brief review of the HPC and upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution reappointing Nicki Schwend to the Historic Preservation Commission (see resolution no. 23-137).

Director Schwend let the Board know that HPC funding recommendations will be forthcoming.

Consider resolution approving an alcoholic beverage transfer license for Sawtooth Sockeyes: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving an alcoholic beverage transfer license for Sawtooth Sockeyes (see resolution no. 23-135).

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

MAY 2023 TERM
CALDWELL, IDAHO MAY 25, 2023

COMMISSIONERS ATTENDING IDAHO ASSOCIATION OF COUNTIES SPRING TRAINING FOR COUNTY OFFICIALS

Today the Board attended the IAC spring training for County Officials Conference which was held at the Riverside Hotel, 2900 W. Chinden Blvd., in Boise.

MAY 2023 TERM

CALDWELL, IDAHO MAY 26, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems, Inc., in the amount of \$2,464.00 for the Information Technology Department
- Dell in the amount of \$1,538.24 for the Information Technology Department
- Eco Motors in the amount of \$8,995.00 for the Fleet Department
- Salt Lake Wholesale Sports in the amount of \$7,215.00 for the Sheriff's Office
- Hanson Janitorial in the amount of \$3,699.30 for the Sheriff's Office
- Hanson Janitorial in the amount of \$16,608.00 for the Sheriff's Office
- Salt Lake City Wholesale in the amount of \$7,137.00 for the Sheriff's Office

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Bruce Mauldin, Deputy Judicial Marshal; Jason Bettencourt, Deputy Sheriff - Inmate Control 51003; Holden Allen Layton, Deputy Sheriff - Inmate Control 51003; and Kevin Josue Valenzuela Bravo, Deputy Sheriff – Inmate Control 51003.

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for Danelion Brewery to be used 6/3/23, 6/17/23, 8/26/23; The End Zone to be used 6/3/23; The Blue Eye to be used 6/5/23 and 6/10/23.

RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board approved resolutions granting beer/wine/liquor alcoholic beverage license renewals as follows:

23-140 RENEWAL: Beer/Liquor: Salinas Foods, LLC dba Yita's Family Restaurant King Legend Hall; and Shewil, LLC Slicks Bar

23-141 RENEWAL: Beer/Wine: Thrifty Payless, Inc. dba Rite Aid #5409; Fast Mart Nampa, Inc, Fast Mart; Eva Contreras De Cuevas dba Tacos El Centro; Paddles Up Ventures, LLC dba Paddles Up Poke; CBOCS West, Inc., dba Cracker Barrel #683

23-142 RENEWAL: Beer/Wine: The Stil, LLC dba The Stil; Campos on Lonestar dba Campos on Lone Star; Crescent Brewery, LLC dba Crescent Brewery; and Umbra, LLC dba Mongolian BBQ Nampa

MEETING TO CONSIDER MAKING APPOINTMENTS TO THE CANYON COUNTY PLANNING AND ZONING COMMISSION AND ASSOCIATED ACTION ITEMS

The Board met today at 10:36 a.m. to consider making appointments to the Canyon County Planning and Zoning Commission. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast, DSD Director Sabrina Minshall, Robert Geoffrey Mathews and Matt Dorsey, Keri Smith and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution appointing members to the P&Z Commission: The Board spoke about the qualifications of each appointee and the knowledge they will bring to the commission. Commissioner Van Beek made a motion to appoint Robert Geoffrey Mathews to the P&Z Commission. The motion was seconded by Commissioner Brooks and carried unanimously (see resolution no. 23-138). Commissioner Brooks made a motion to appoint Matt Dorsey to the P&Z Commission. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 23-139).

The meeting concluded at 10:42 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:45 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Case Manager Kellie George (left at 10:51 a.m.), Keri Smith and Deputy Clerk Jenen Ross.

Matters related to medical indigency:

- Case no. 2023-61 is no longer eligible for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a denial on the case.
- Case no. 2023-62 meets the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue an approval on the case.
- Case no. 2023-60 does not meet eligibility criteria; however, the husband of the decedent has requested county assistance with cremation. Commissioner Van Beek made a motion

to deny the case based on the lack of meeting the eligibility criteria. The motion was seconded by Commissioner Brooks and carried unanimously.

The Board took a brief recess from 10:51 a.m. to 11:00 a.m.

Consider signing a legal notice of public hearing regarding proposed updated admission fees for the Canyon County Fair: Commissioner Brooks made a motion to sign the legal notice of public hearing regarding proposed updated admission fees for the Canyon County Fair. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

CONSIDER ADOPTING CHANGES TO THE EMPLOYEE HANDBOOK AND VEHICLE USE POLICY

The Board met today at 11:01 a.m. to consider adopting changes to the employee handbook and vehicle use policy. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, HR Director Kate Rice, HR Investigator Rich Soto (left at 11:09 a.m.), Fleet Director Mark Tolman, COO Greg Rast and Deputy Clerk Jenen Ross.

Vehicle use policy:

Chief Rast explained the current policy is 10 years old. When the county changed insurance carriers late last year they requested an updated policy and to add in regular, ongoing driver license checks. The new policy will direct that HR and the HR Investigator to conduct quarterly license checks. Mr. Rast spoke to the process that has happened in order to get this policy updated. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to adopt the updated vehicle use policy and agreement and the areas of responsibilities documents.

Employee handbook

HR Director Rice reviewed the major changes which are as follows:

- Update to Board member names and core values
- Bereavement policy
- Unauthorized leave of absence
- Workers comp policy
- Sexual abuse and harassment policy
- Reporting harassing behavior policy
- Layoff policy

Other changes made were typographical or grammatical in nature. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to

approve the employee handbook. At the request of Chief Rast, Director Rice will compile a summary of the changes made.

The meeting concluded at 11:26 a.m. and an audio recording is on file in the Commissioners' Office.

MAY 2023 TERM

CALDWELL, IDAHO MAY 30, 2023

APPROVED CLAIMS

- The Board has approved claim 595336 in the amount of \$11,057.33

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change form for Ebony Ferreira, Customer Service Specialist; and Norma Jimenez, Appraiser.

RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board approved resolutions granting beer/wine/liquor alcoholic beverage license renewals as follows:

23-146 RENEWAL: Beer/Wine: Las Tias, LLC dba Tin Roof Tacos; and Valley Wide Cooperative, Inc., dba Valley Country Store; and

23-147 RENEWAL: Beer/Liquor: SAS Restaurant Ventures, Inc., dba Denny's Restaurant

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND 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. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Fair Director Diana Sinner (left at 9:45 a.m.), Director of Juvenile Probation Elda Catalano (left at 9:39 a.m.), Facilities Director Rick Britton, DMV Supervisor Kimbra Asqueta (left at 9:39 a.m.), Assessor Brian Stender and Chief Deputy Assessor Joe Cox (arrived at 9:33 a.m. – left at 9:39 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Memorandum of Agreement to Support the Community Based Alternative Services (CBAS) Program and The Substance Use Disorder Services (SUDS) Program: This MOA has been reviewed by legal and is a regular agreement with no material changes. Director Catalano spoke about the

program, what it provides and answered questions posed by Commissioner Van Beek. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the MOA to support the community based alternative services (CBAS) program and the Substance Use Disorder Services (SUDS) program (see agreement no. 23-057).

Consider reasonable accommodation and settlement agreement with Moonlight Mountain Recovery, Inc. and D & W Investments 201, LLC for 13963 Purple Sage Rd, Caldwell, ID: This item will be removed from the calendar/agenda for the time being. Mr. Wesley will request it be rescheduled after he has the pertinent information.

Consider resolution establishing an administrative fee charged by the Canyon County Assessor for vehicle title services: Per the calculations, the county could charge up to \$6.19 but for ease on the staff they chose an even number of \$6.00 for the administrative fee. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution establishing an administrative fee charged by the Canyon County Assessor for vehicle title services (see resolution no. 23-145). No inquiries have been received regarding these fees and no one appeared to offer comment.

Consider resolution approving the increase in the facility rental fees for the Fair Building and establishing facility rental fees for The Center: This resolution is to establish fees for The Center and update fees for the fair building. Director Sinner gave a review of each building and the new/revised fees. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving the increase in the facility rental fees for the fair building and establishing facility rental fees for The Center (see resolution no. 23-144). No members of the public were in attendance to offer comment.

Consider a resolution authorizing an increase to the fee schedule for the Weed and Pest Department: Director Britton has been reviewing rates of similar operations with the most similar being Ada County. Additionally, he reviewed the rates and spoke about how they were calculated. No comments were received from the public regarding the fees. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing an increase to the fee schedule for the Weed and Pest Department (see resolution no. 23-143). New rates will be in effect today regardless of when the workorder was received. Director Britton and his staff will reach out to people with current workorders letting people know the rates have changed.

The meeting concluded at 10:01 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER SIGNING APPROVAL DOCUMENTS FOR THE OBENDORF CONDITIONAL REZONE, CASE NO. RZ2022-0007

The Board met today at 10:36 a.m. to consider the approval documents for the Gregory and Ann Obendorf conditional rezone, Case No. RZ2022-0007. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, and Deputy Clerk Monica Reeves. At a public hearing on May 23, 2023, the Board voted unanimously to approve the request by Gregory and Ann Obendorf, represented by BRS Architects, for a conditional rezone of a 12.6-acre portion of parcel R32686 from an "A" (Agricultural) zone to a "C-2" (Service Commercial) zone. The proposal is for a three-phased request:

Phase 1: Gas station with a convenience store at the corner of Farmway Road and Karcher Road on a 3-acre lot; and

Phase 2: A seasonal farmers market on a one-acre lot; and

Phase 3: A carwash accessory to the gas station and some commercial lots along Karcher Road.

As part of the development agreement, Phase 3 would not occur until city services are available. At the public hearing on May 23rd, staff advised that the applicants had not signed the development agreement and so it was recommended the approval documents be scheduled at a later, and they were subsequently scheduled for today, May 30, 2023. Today, the Board wanted staff to be in attendance and put comments on the record regarding the documents. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks the matter was continued to tomorrow, May 31, 2023 at 9:30 a.m. The meeting concluded at 10:41 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: REQUEST BY JOHN AND SHERRY ANDERSON FOR A CONDITIONAL REZONE OF PARCELS R36368 & R36368011 FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-M-1" (CONDITIONAL REZONE – LIGHT INDUSTRIAL) ZONE, CASE NO. CR2022-0024

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of a request by John and Sherry Anderson for a conditional rezone of Parcels R36368 & R36368011 from an "A" (Agricultural) zone to a "CR-M-1" (Conditional Rezone - Light Industrial) Zone, Case No. CR2022-0024. Present were: Commissioners Zach Brooks and Leslie Van Beek, DSD Planning Official Dan Lister, DSD Planner Sage Huggins, Deputy PA Zach Wesley, John Anderson, Sherry Anderson, Tarah Knowlen, Suzan Boyer, Keri Smith, Ryan Whittig, Kassi Chadwick, Sonnie House, Lynn Whittig, Dave House, Cindy Roberts, Brad Benke, Vivian Ferkin, Mike Johnston, and Deputy Clerk Monica Reeves.

Commissioner Holton recused himself from today's hearing since he is also the Mayor of Greenleaf and the subject property is in the Greenleaf impact area. Commissioner Van Beek disclosed that she had a land use decision concerning this parcel with the previous Board but the prior case/information will not be a hindrance in her ability to issue a decision in this case. Planning Official Dan Lister advised that this property has not been before the Board and he believes the case Commissioner Van Beek referred to is located approximately 2,000 feet east of this property along Weitz Road.

DSD Planner I Sage Huggins gave the oral staff. The applicants are requesting a conditional rezone of 48.17 acres for Parcels R36368 & R36368011 from an "A" (Agricultural) zone to a "CR-M-1" (Conditional Rezone - Light Industrial) Zone. Parcel R36368 is an original parcel and the other parcel was created in 1994 as portions of it have been split off by deed through a series of record of surveys. The subject property is located at 19372 Lower Pleasant Ridge Road in Caldwell and it has been in agricultural use with agricultural and light industrial uses surrounding it. On March 15, 2023 the Hearing Examiner recommended approval subject to the development agreement with conditions. Ms. Huggins reviewed the conditions as well as photos of the site, soils information, agency comments, and public comments. The property is in Greenleaf's area of city impact the properties to the north and west are zoned M-1 light industrial and the properties to the south and east zoned agricultural. Active agricultural and sporadic rural residential homesites and active light industrial uses are located within the one-mile perimeter of the property. Due to the location of the site and the various uses in the immediate area, the zoning change of the site will not fragment farmland. The applicant is requesting to restrict mineral extraction uses in the development agreement. The future land use designation is industrial. The City of Greenleaf designates the property as industrial on their comprehensive plan. The City has concerns for facilities and services, public street improvements, traffic pattern impact, and impact to essential public services and they requested conditions to mitigate the concerns. The City of Greenleaf is not in opposition to the application. The proposed development does not have a declared use yet, but is estimated to exceed 50 new peak hour trips and Canyon Highway District has stated it does not oppose the zoning change. Public comments include concerns regarding the loss of farm ground, pollution, noise, traffic, and the negative impact to quality of life and property values. Following her report Ms. Huggins responded to questions from the Board.

The following people testified in support of the request:

John Anderson testified he and his wife have resided in the area for 27 years and are seeking a rezone with the following conditions: the following land uses are not to be allowed on this property: church, theater, batch plant, ethanol plant, impound yard, rendering plant, slaughterhouse, vehicle sales lot, sale of salvage, firewood sales, mineral extraction (long-term or short-term), mortuaries, cremation, funeral homes, rehabilitation of manufactured homes, vehicle fueling station with convenience stores, bulk storage or wholesale distribution for any flammable liquids above or below ground. In consideration to the impact area they have presented the list of conditions at the neighborhood meeting held on February 1, 2022. The request to M-1 is more appropriate than the current zoning. There are many industrial uses in the area along the Simplot corridor. The conditional rezone would not create additional negative impact to the area. The property has been designated as M-1 for many years and it is contiguous to M-1 on the north and west. Mr. Anderson reviewed the property history and uses in the area. There is a growing need for more industrial-zoned ground in Idaho, and the rezone would not only supply jobs for the influx of people but would generate added tax revenue to the County. Mr. Anderson asked the Board to eliminate conditions set forth by the Hearing Examiner as there was not adequate time to research or investigate those restrictions. The additional limitations do not benefit the County's future development plan nor the commitment to ag-type businesses. He proposes the removal of the following conditions: Kennel, transit or trucking facility, animal facility, large fertilizing

processing plant. The CAFO would remain as a condition. The subject property has been in the County's comprehensive plan since 2000 and contiguous with five parcels already zoned for M-1 light industrial use since 1977. Mr. Anderson hopes to sell the property once it's rezoned. Following his testimony he responded to questions from the Board.

The following people offered neutral testimony:

Keri Smith testified that she represents a developer north of Simplot Blvd on Pinto Road on existing M-1 land and there are not adequate services in the area. The property is over 20 acres and the developer is only allowed to build one structure at this time because there is not adequate power. She said one of the areas that is deficient in the staff report is that Idaho Power is not referenced and there is not enough power in the area to serve additional uses, and especially when looking at the existing M-1 zoning in the area. Furthermore, there are not services from Greenleaf to the property for water and sewer, and the developer she represents is installing a community system and septic at a very high cost. Greenleaf has historically been denying residential subdivisions, and there are no housing opportunities for the employees. A zoning change to M-1 in this area is not more appropriate because there are not enough services, and the services that are available to the property would fit a normal agricultural use. She said until we have additional services that are brought south of west end drain it's not appropriate. Nampa, Caldwell and Middleton have developed urban renewals areas. There are over 220 acres in the Greenleaf Impact area being proposed as a conditional rezone for M-1 which is much larger and there are no services. You need a lot more than individual septic and well for an industrial use especially to get a high quality user.

The following people testified in opposition to the request:

Ryan Whittig lives in the area and farms 350 acres and he testified about the effect this type of development has on agriculture. His concerns include additional traffic from businesses in the area, a lack of services, and roads that cannot handle additional traffic or use. He spoke of the uses in the area, and the access those businesses use as well as his experience with farming equipment on the roadways.

Kassi Chadwick lives in the area and agrees with the testimony offered by Ryan Whittig. Agricultural land is rapidly depleting and must be preserved. Once land is rezoned to M-1 a farmer who may want to expand their operation cannot afford it with that kind of price tag. There are three properties ranging in size from 54-72 acres that have been zoned industrial which brings a price point ranging from \$5.5M to \$13.8M. All three listings are being farmed or were recently farmed. Ms. Chadwick said M-1 zoning has drastically changed the atmosphere of her property; she is the fourth generation family member living on what was her family's homestead. She spoke about safety concerns with people running stop signs and tragic accidents that have occurred. Power is often knocked out when large trucks hit the power lines in the area.

Lynn Whittig testified he has a longtime family farming operation in the area and he is concerned about the negative impacts development, whether it's M-1 or residential, has on farming

operations such as crop dusting, fumigation, and the moving of farm equipment on roadways. Commissioner Van Beek disclosed that her husband is familiar with the Whittigs farming operation.

Brad Benke opposes the rezone because the area is not set up for light industrial zoning. He spoke about the prime farm ground in the area and how there is light industrial zoning north of the west end drain which seems like a logical division of keeping buildings and light industrial away from farming operations. There are three properties south of the drain that have tried to be zoned light industrial and they have been for sale for 2-5 years.

Vivian Ferkin lives directly across from the subject property and she spoke of the need to preserve ag ground. Her concerns include traffic, lack of infrastructure, noise and light pollution, and the impacts to farming operations. The property is prime ground that's been used for cattle grazing and for growing crops. Ms. Ferkin leases her property to a farmer who produces crops.

Mike Johnson lives a ½ mile south of the property and said there is no direct route to the property, the roads are narrow which make it difficult when encountering truck traffic. He is concerned about the loss of farm ground as well as the noise that can be heard from Gayle Manufacturing.

Rebuttal testimony was offered by John Anderson. He said the acreage is not feasible to support a family above the poverty level with ag production on this property. According to the neighborhood petition dated March 10, 2022, the community is not opposed to the zone change, but they are not in agreeance with the County's proposed use of light industrial. Currently, the property is not bordered with personal working ag production. There are no documents stating the west end drain is a distinctive boundary for M-1 light industrial, and since 1977 multiple parcels south of the west end drain have been zoned M-1. The boundary for M-1 is Lower Pleasant Ridge Road which borders his property to the south. Since the 2000 the comprehensive plan has identified the property as future use M-1 light industrial, and since 1995 the Canyon County Commissioners have identified the property's best future use as M-1 light industrial.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. The Board took a brief recess at 2:47 p.m. and went back on the record at 2:51 p.m. Commissioner Van Beek said she has difficulty finding positive findings. There are businesses out there, but it is a heavy agricultural area and there is a lot of going on in the area. Weitz Road is not a collector road. At this time the conditional rezone is not more appropriate than the current zoning designation. The character of the area is undefined and there are many competing interests out there, and this should be a subarea the Board looks at with guidance from DSD to figure out what we want to do with it and how it needs to be treated. We do not know what the property would develop into and it is problematic to put more traffic on undersized roads. She cannot find proof that a zoning change is appropriate, and the Board must consider the impact for those who live in the area.

Commissioner Brooks asked if he is allowed to base a decision on how the ground is going to be used if the zoning is changed? Deputy PA Wesley said the simple answer is yes, that is something

the Board can consider and it's something Commissioner Van Beek stated when she said it's not the right time. The Hearing Examiner attempted to mitigate that potential concern of not knowing what the use is by removing some of the uses, but today the applicant said they want a few of those added back in. Commissioner Brooks said that's his biggest issue is the list of uses that could come to the property with a wide array of impacts on the surrounding communities. Not knowing what the entity is that will come in he does not know how he can answer what the impacts will be, and he agrees with Commissioner Van Beek's summation. Commissioner Van Beek said she does not have information to be able to say the change in zoning will not cause undue traffic interference. Planning Official Lister said he understands from the Board's discussion that findings 2, 5, 6, and 8 cannot be made because there is no known use and without that the impacts to the area are unknown unless the applicant comes back with a use or development plan for the property where it could answer those findings. Commissioner Van Beek said there was testimony regarding the inadequate power grid, but an analysis was not provided. Also, the cumulative effects on the water supply. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to deny the request by John and Sherry Anderson for a conditional rezone, Case No. CR2022-0024. A second public hearing will be held because the Board's decision is a material change to the Hearing Examiner's recommendation. Staff was directed to change the findings and come back with a denial and another public hearing will be scheduled and if the Board maintains its denial it will formally sign the FCO's. The hearing concluded at 3:07 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2023 TERM

CALDWELL, IDAHO MAY 31, 2023

APPROVED PAYROLL

The Board approved the June 2, 2023 payroll in the amount of \$2,282,814.78

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Intermountain Wood in the amount of \$4,279.04 for the Facilities Department
- Nemo Q, Inc., in the amount of \$1,335.00 for the Information Technology Department
- Dell in the amount of \$6,514.08 for the Information Technology Department
- Avolve Software Corporation in the amount of \$2,638.35 for the Development Services Department
- Seal1, LLC, in the amount of \$1,656.00 for the Sheriff's Office

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for Estefany Alvarez, Sr. Administrative Specialist.

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for The Curb Bar & Grill to be used 6/10/23; The Tower Grill to be used 6/9/23 and 10/6/23; and County Line Wine to be used 6/2/23.

RESOLUTIONS GRANTING RENEWAL BEER/WINE/LIQUOR ALCOHOLIC BEVERAGE LICENSES

The Board approved resolutions granting beer/wine/liquor alcoholic beverage license renewals as follows:

23-148 RENEWAL: Beer/Wine: Hat Ranch Winery dba Vale Wine Company/Hat Ranch Winery; and El Cafetal Colombian Restaurant dba El Cafetal

23-149 RENEWAL: Beer/Wine: MCO Idaho, LLC dba Mesquite Creek Outfitters

23-150 RENEWAL: Beer/Liquor: Amano Restaurante, LLC dba Amano

23-151 RENEWAL: Beer/Liquor: M & R Ruszonis, LLC dba Ruszoni's Pizza

ACTION ITEM: CONSIDER SIGNING APPROVAL DOCUMENTS FOR THE OBENDORF CONDITIONAL REZONE, CASE NO. RZ2022-0007

The Board met today at 9:30 a.m. to consider the approval documents for the Gregory and Ann Obendorf conditional rezone, Case No. RZ2022-0007. (This item was continued from May 30, 2023). Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Official Dan Lister, and Deputy Clerk Monica Reeves. At a public hearing on May 23, 2023, the Board voted unanimously to approve the request by Gregory and Ann Obendorf, represented by BRS Architects, for a conditional rezone of a 12.6-acre portion of parcel R32686 from an "A" (Agricultural) zone to a "C-2" (Service Commercial) zone. The proposal is for a three-phased request:

Phase 1: Gas station with a convenience store at the corner of Farmway Road and Karcher Road on a 3-acre lot; and

Phase 2: A seasonal farmers market on a one-acre lot; and

Phase 3: A carwash accessory to the gas station and some commercial lots along Karcher Road. As part of the development agreement, Phase 3 would not occur until city services are available.

At the public hearing on May 23rd, staff advised that the applicants had not signed the development agreement and so it was recommended the approval documents be scheduled to a later date. Today Mr. Lister said the applicant has signed agreement and the approval documents are ready for Board signature. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the FCO's for Case No. RZ202-0007 as

well as the development agreement (No. 23-058) and ordinance (No. 23-005). The meeting concluded at 9:35 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CODE ENFORCEMENT TO DISCUSS AND CONSIDER ACTION ITEMS

The Board met today at 10:00 a.m. with Code Enforcement to discuss and consider action items related 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, DSD Director Sabrina Minshall, Office Manager Jennifer Almeida and Deputy Clerk Jenen Ross.

Mr. Arthur and Mr. Westerfield provided brief reviews of each property and the violations. Additionally, Mr. Arthur answered questions posed by Commissioner Van Beek regarding their processes and updating ordinances.

The following properties were reviewed with the Board to consider issuing certificates of non-compliance:

- 9466 S. Happy Valley Rd, Nampa (R28990)
- 6735 Horse Heaven Ln, Nampa (R29963012)
- 6823 Horse Heaven Ln, Nampa (R29963)
- 0 Southside Blvd, Nampa (R29963012A)
- 0 Southside Blvd, Nampa (R29963014)

The properties located at 0 Southside Blvd. have been merged with the Horse Heaven Ln. properties so they have been omitted.

- 22021 Rio Vista Dr, Caldwell (R25857) - *Mr. Arthur needs to work with legal and the highway district in regard to abatement of animal waste disposal along the side of the roadway.*
- 0 Howe Rd, Wilder (R36736010)
- 15938 Sunbeam St, Caldwell (R27027)
- 9221 Northview Rd, Middleton (R23744010) – *This property is in the process of being sold and Code Enforcement is recommending to not move forward with the certificate of non-compliance at this time as clean-up seems to be moving forward and they don't want to disrupt the process. At this point they are recommending holding on this case for 30-days to ensure clean-up continues.*

Release of Certificate of Noncompliance on the following property:

- 20147 Linda Lane, Caldwell (R27215011A)

Commissioner Van Beek made a motion to issue certificates of non-compliance on the above listed properties, excluding 9221 Northview Rd., Middleton, and to release the certificate of non-compliance on the property located at 20147 Linda Lane, Caldwell. The motion was seconded by Commissioner Brooks and carried unanimously.

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

PUBLIC HEARING – APPEAL BY MANUEL GUTIERREZ FOR A CONDITIONAL USE PERMIT, CASE NO. CU2022-0038-APL

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of an appeal by Manuel Gutierrez for a conditional use permit for a staging area, Case No. CU2022-0038. The property is located at 17087 on N. Franklin Blvd., in Nampa. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD director Sabrina Minshall, DSD Planner Madelyn Vander Veen, DSD Planner Michelle Barron, Lonnie Tustison, Manuel Gutierrez, Elbia Limon, and Deputy Clerk Monica Reeves. Maddy Vander Veen gave the oral staff report. The applicant is appealing P&Z Commission's denial of a CUP for a staging area located on Parcel R30792. The requested use includes storage of landscaping materials and equipment for use off-site. It can be argued that the proposed use is both a staging area and a landscape business. In an agricultural zone a staging area requires a CUP while a landscape business is an allowed use. A CUP may be needed since the use does fit the staging area definition, but this could be a matter of interpretation and for this case code enforcement staff recommended the applicant submit the original case and the subsequent appeal out of an abundance of caution. A code enforcement violation case was opened in February 2021 for the staging area operating without a CUP. Approval of the application would resolve the code violation. Ms. Vander Veen reviewed the site photos, agency comments and public comments as well as the proposed conditions. Staff is recommending approval of the request. Following her report, Ms. Vander Veen responded to questions from the Board.

The following people testified in support of the appeal:

Manuel Gutierrez offered testimony in support of the appeal and is representing Progressive Lawn Care. He believes the reasoning for the denial was unreasonable and was due to noise coming from the house on the property. The property owners and the neighbor who complained have spoken and have come to a mutual agreement that this is not the forum to argue about noise and they have an agreement to be less noisy and more neighborly. He is hoping everything is up to par with the permit and they plan to follow all the rules and set aside the noise factor and get the permit approved. He is part owner of the house and is the son of the owner of the business. They had a renter at the house who had subwoofers in his car and liked loud music but he is no longer

on the property and they have not had any other noise issues. Following his testimony, Mr. Gutierrez responded to questions from the Board.

Lonnie Tustison, a neighboring property owner, testified in support of the appeal and said he has heard music in the past but he has not heard it for quite some time. They are a good business and he has no complaints about them.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to the Board accepted Exhibit #5, an email dated January 18, 2023 from the City of Nampa. Commissioner Van Beek is in favor of accepting staff's recommendation to approve the appeal for a CUP. She finds the applicant congenial and respectful and one of his neighbors testified today that the music/noise issue has been rectified. Commissioner Holton had questions of staff about whether the conditions go with the existing property owner and whether they sunset when they sell or change the business. Ms. Vander Veen will add a condition that says the permit shall be transferable to any other property or individual and is not valid for any business or use other than that specifically approved by the Board. Commissioner Holton has a concern about the renter who choosing not to be a good neighbor (playing loud music); he wants the business owners to keep it quite because the neighborhood cannot differentiate between the residence and the business. Noise complaints shall not be tolerated after hours. He wants to explore options if there are repeated noise complaints there is the possibility of losing the CUP. Discussion ensued. DSD Planner Michelle Barron said conditions put on a CUP should be directly for that CUP. There is already an ordinance in place for noise after 11:00 p.m. Additionally, the applicant has testified that he is working towards being a good neighbor and they have worked it out with the other neighbors. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the appeal of Case No. CU2022-0038-APL approving the CUP for a staging area on Parcel 30792 subject to the conditions as enumerated as #1 through #9. The signed FCO's are on file with this day's minute entry.

The hearing concluded at 2:16 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 1, 2023

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Mathew Joseph Lewis, Deputy Sheriff – Inmate Control 51003

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Joe Nathan Decker, Public Information Officer – Field Services Admin 41001.

APPROVED EMPLOYEE EXIT FORM/DEPARTMENT TRANSFER FORM

Joe Decker transferred from BOCC/Public Information Officer to Canyon County Sheriff's Office.

APPROVED ALCOHOLIC BEVERAGE LICENSE

23-152 RENEWAL: Beer/Liquor: Caldwell Bowling Center, Inc., dba Caldwell Bowl

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Volume One to be used 6/3/23.

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

The Board met today at 9:33 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek and Brad Holton, Commissioner Zach Brooks (joined at approximately 9:45 a.m.), Deputy P.A. Oscar Klaas (left at 9:36 a.m.), Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, DSD Code Enforcement Supervisor Eric Arthur, DSD Code Enforcement Officer Gary Westerfield, DSD Code Enforcement Officer Katie Phillips, Assistant Facilities Director Carl Dille (left at 9:36 a.m.) and Deputy Clerk Jenen Ross.

Start Selection Process for Design/Engineering Services for the County Elections Building Project: Four responses were received for this project and Mr. Klaas said that Director Britton has convened a committee to review the submissions. Once a selection is made negotiations can begin with the selected firm. Additionally, Mr. Klaas said this will be a CMGC project so that portion will be coming soon. Submissions were received from the following architectural firms:

RBA Architects

Received May 26, 2023 at 10:40 a.m.

Schlager Zimmerman Architects

Received May 31, 2023 at 2:35 p.m.

Cushing Terrell

Received May 31, 2023 at 4:50 p.m.

ZGA Architects & Planners, Chartered

Received June 1, 2023 at 8:46 a.m.

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 9:37 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 Holton. A vote was taken on the motion with Commissioners Van Beek and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, DSD Code Enforcement Supervisor Eric Arthur, DSD Code Enforcement Officer Gary Westerfield and DSD Code Enforcement Officer Katie Phillips. Commissioner Brooks joined the meeting at approximately 9:45 a.m. The Executive Session concluded at 10:25 a.m. with no decision being called for in open session.

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

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

The Board met today at 10:32 a.m. with the Director of Development Services to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek (left the meeting at 11:13 a.m.), Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, DSD Planner Michelle Barron, DSD Office Manager Jennifer Almeida, Keri Smith and Deputy Clerk Jenen Ross.

Mr. Lister gave a PowerPoint presentation which reviewed the following:

- Concurrent/Combined applications
 - Perception from the applicant is that if multiple applications are submitted together they will be processed together.
 - Issues surrounding that include: the review for a rezone takes less time than the platting review; if the rezone application doesn't meet the required findings and cannot be supported, review of the plat may not be an efficient use of staff time; the cases must be considered separately whether they are submitted concurrently or not and often causes confusion during the hearing process.
 - Subdivision applications take 2-4 months and rezones take 50-60 days.
 - Review of state statute and county ordinance which guide concurrent/combined applications.
 - The Board is supportive of allowing DSD staff the discretion to know what works best for either running applications concurrently or not.
- Rezone vs. Conditional rezone
 - Review of Canyon County Zoning Ordinances which define a zoning amendment vs. a conditional rezone & development agreement.

- Oftentimes applications will start as a rezone and change to a conditional rezone part of the way thru the process which is causing challenges and a backlog of applications.
- Many jurisdictions just have a rezone with an option for conditions; Mr. Lister thinks they could collect some additional information about how other jurisdictions handle this and bring that back to the Board for further discussion.
- Issues and concerns regarding the process.
- Modification – necessity

A copy of the PowerPoint presentation is on file with this day's minutes. The meeting concluded at 11:22 a.m. and an audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 2, 2023

No meetings were held this day.

APPROVED ALCOHOLIC BEVERAGE LICENSE

23-153 RENEWAL: Beer/Liquor: Coronar, LLC dba Los Mariachis Mexican Restaurant #2

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Curb Bar & Grill to be used 6/10/23.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 5, 2023

No meetings were held this day.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 6, 2023

No meetings were held this day.

EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Kinley Schleicher, Fair Intern; Mercia Reames, Fair Intern; Presley Ramey, Fair Intern.

APPROVED CLAIMS

- The Board has approved claims 595200 to 595248 in the amount of \$14,659.26
- The Board has approved claims 595249 to 595290 in the amount of \$179,552.33
- The Board has approved claims 595291 to 595335 in the amount of \$32,712.51
- The Board has approved claims 595337 to 595380 in the amount of \$79,861.28
- The Board has approved claims 595381 to 595434 in the amount of \$704,193.93
- The Board has approved claims 595451 to 595487 in the amount of \$44,365.84
- The Board has approved claims 595543 to 595594 in the amount of \$129,343.73
- The Board has approved claims 595488 to 595542 in the amount of \$122,591.88

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 7, 2023

No meetings were held this day.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 8, 2023

APPROVED CLAIMS

- The Board has approved claims 595435 to 595450 in the amount of \$7,009.00
- The Board has approved claims 595595 to 595597 in the amount of \$201,775.92

EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Levi Rice, Juvenile Detention Officer.

APPROVED CATERING PERMIT

The Board approved Idaho Liquor Catering Permits for H&M Meats to be used 6/9/23; Frontier Club/Roosevelt to be used 6/17/23; The End Zone to be use 7/22/23 and 6/16/23; County Line Wine Company to be used 6/24/23.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 11:02 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution granting a transfer alcoholic beverage license to The Airport Inn: Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a transfer alcoholic beverage license to The Airport Inn (see resolution no. 23-154).

Consider resolutions granting new alcoholic beverage licenses to Casa Anejo LLC and Aguililla Restaurant: Commissioner Holton made a motion to approve the resolutions granting new alcoholic beverage licenses to Casa Anejo LLC (see resolution no. 23-155) and Aguililla Restaurant (23-156). The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 11:04 a.m. and an audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 9, 2023

No meetings were held this day.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Corwin Ford in the amount of \$104,115 for the Fleet Department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Nicholas O'Bryant, Deputy Public Defender II; Mihaela Karst, Deputy Public Defender II; Matthew Brown, Deputy Public Defender II.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 12, 2023

APPROVED CLAIMS

- The Board has approved claims 595598 to 595642 in the amount of \$63,233.59
- The Board has approved claims 595643 to 595680 in the amount of \$59,263.81

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Diana Hoffman, Sr. Admin. Specialist; Zachary Snively, Clerk II; Stephanie Hutchings, Clerk II; Travis Scott Mogle, Deputy Sheriff – Inmate Control 51003; and Chris A. Grooms, PT Building Plans Examiner.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI in the amount of \$3361.50 for the Information Technology department
- Sun Badge Company in the amount of \$1946.40 for the Prosecutor's Office
- Crane Alarm Service in the amount of \$5770.00 for the Solid Waste department
- Bob Barker in the amount of \$17,782.75 for the Sheriff's Office
- CPI Guardian in the amount of \$15,946.23 for the Sheriff's Office
- Sweetwater Sound in the amount of \$1,888.95 for the Public Information Officer

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Bus Bar Idaho to be used 6/24/23.

MEETING TO CONSIDER AN ACTION ITEM

The Board met today at 9:02 a.m. to consider signing a resolution granting a new alcoholic beverage license to Cliff's County Market. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Cliff's Country Market (see resolution no. 23-157).

The meeting concluded at 9:03 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE PROSECUTING ATTORNEY

The Board met today at 9:03 a.m. for a FY2024 preliminary budget workshop for the Prosecuting Attorney. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Sarah Winslow, Prosecuting Attorney Bryan Taylor, Chief Civil Deputy P.A. Carl Ericson, Chief Criminal Deputy P.A. Doug Robertson, P.A. Office Manager Melinda Longoria, COO Greg Rast and Deputy Clerk Jenen Ross. Prosecutor Taylor addressed the following with the Board:

- Potential increase to city prosecution contracts; these numbers won't be known until the cities finalize their budgets.
- Two new positions are being requested in both the civil and criminal divisions.
 - A brief review of caseload numbers was provided to the Board

- A worksheet was provided to the Board outlining responsibilities of each Civil Deputy P.A.
- Since the new compensation plan went into effect they've been able to maintain most employees and hire new employees. Requesting that the Board implement a COLA in order to continue employee retention and salaries moving forward.
- Discussion regarding budget line item 521220 for the *State vs. Dalrymple*
- \$400,000 has been allocated to the software line item for replacement the JustWare program; in coordination with IT, JustWare will remain in place for another year but \$50,000 - \$60,000 will need to be allocated in order to purchase additional licenses.
- Youth Court line will be added to the PA budget at the request of the Board; the \$20,000 is based on the proposed budget submitted by the Youth Court.
- Fleet and IT line items are based on recommendations of those departments
- Airfare, hotel and meals for witness have all been increased to account for increasing costs of those items.

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

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE SHERIFF'S OFFICE

The Board met today at 1:33 p.m. to conduct the FY2024 preliminary budget workshop for the Sheriff's Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Sheriff Kieran Donahue arrived at 1:40 p.m., Chief Deputy Sheriff Doug Hart, Captain Chuck Gentry, Sheriff's Financial Manager Dave Ivers, Captain Harold Patchett, PIO Joe Decker, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, other interested persons, and Deputy Clerk Monica Reeves. Highlights from the workshop were as follows:

Office/Department Functions:

Operating conditions at CCSO have changed dramatically in the past seven months. With the December 2022 passage of the new wage and compensation plan for commission deputies in patrol and the jail, the high level of turnover that had plagued our office for several years has essentially ceased. Ending turnover has enabled us to hire and retain deputies to the point that we have filled all of the currently funded positions in both patrol and the jail. That being said, we are at a critical juncture. Our staffing on patrol has not increased (due to prior wages and turnover) for twenty-five years, while during that same time period the county population has increased over 85%.

CCSO has devised a Three-year Strategic Plan which addresses both staffing and equipment needs that have been neglected or unable to be appropriately addressed in years past. The various projects documented within this plan, if approved, will properly staff and equip the Sheriff's Office

to provide vital law enforcement services to the citizens of Canyon County. For the first time in decades, CCSO is fully staffed. Turnover has gone from 28% to 0%.

Revenues within the Sheriff's Office are fairly stable and routine. We do not anticipate any significant departures from prior year's revenues. We are going out to RFP in the jail for some revenue generating components. This may generate some changes.

Staffing:

Vacancies within the Sheriff's Office have diminished significantly. Now that we are nearing full staffing, it is time to address inadequacies within our current funded staffing levels. Of note, the quality of the individuals they have been able to hire and retain based on the new wage and compensation program has increased dramatically. Many of the new hires have college degrees, relevant work and military experience, and are still able to pass our strict background investigation for hire. These individuals will elevate the quality of the work we do and the services we provided to the citizens of Canyon County.

The details are contained in the three-year strategic plan; project numbers are noted below:

- Project 1: Request four (4) new patrol deputies for FY2024 (same number requested each year for FY25-FY27)
- Project 10: Request for on-call pay (\$2,600/year) for two (2) victim-witness specialists and three (3) criminologists.
- Project 17: Request for one (1) additional fulltime marine deputy.
- Project 20: Request for SWAT specialty pay for two (2) additional operators (\$1,500 per operator)
- Project 41: Request for restructuring supervisory positions (with nominal wage increases) within the Driver's License Division.
- Project 42: Request to convert three (3) part-time driver's license positions into one (1) fulltime position.
- Project 60: Request to increase annual K-9 specialty pay from \$2,300 to \$6,000 per handler
- Project 61: Request for an additional booking ad-tech (Customer Service Specialist – Booking) in the jail.

Over time there may be requested adjustments to ensure that we are fair and accurate in their salary bands. There are four (4) positions within CCSO that are substantially out of range for the jobs being performed, and they intend to submit the paperwork to request salary adjustments, prior to or concurrent with FY2024, for four employees: Senior Finance Specialist; Customer Services Specialist; Data Analyst Tech; and Senior Administrative Specialist.

Capital Assets:

- Project 1: Patrol Proposal (vehicles and equipment for new Patrol Positions) \$400,000
- Project 2: Patrol Rifles \$110,000
- Project 3: Pistols \$47,505

- Project 4: Winter Patrol Gear \$15,000
- Project 5: Ballistic Shields \$14,800
- Project 11: Laptops for CID/Command Staff \$56,323
- Project 14: Microscope \$3,450
- Project 15: Fuming Chamber \$4,500
- Project 16: Faro Scanner \$108,000
- Project 18: Marine Patrol Vehicle \$60,000
- Project 19: I-pads for Marine Patrol \$2,500
- Project 21: SWAT Drone \$9,000
- Project 22: SWAT Saw \$900
- Project 32: Civil Office Remodel \$1,000
- Project 34: Records Office Remodel \$15,200
- Project 40: Computer/Monitor Purchases \$203,080
- Project 43: Cameras for Driver's License Office \$2,000
- Project 44: Chairs for Driver's License Office \$4,200
- Project 46: Simulation Firearms for Training \$40,200
- Project 50: Gun locker \$1,130
- Project 52: Polygraph Instrument \$10,000
- Project 54: Relocation of Jail Laundry \$350,000
- Project 55: Padded Cells \$40,000
- Project 56: Property Room Sealer \$15,750
- Project 58: Update Jail Control Room \$3,650

Chief Hart reviewed the priority rating for each project, with the majority having a priority rating of I, a few having a rating of II and III, and the Faro Scanner having a rating of IV. A general discussion and comment period followed, but no Board action was required or taken. The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM
CALDWELL, IDAHO JUNE 13, 2023

APPROVED CLAIMS

- The Board has approved claims 595681 to 595735 in the amount of \$99,296.69
- The Board has approved claims 595736 to 595771 in the amount of \$95,599.01

APPROVED PAYROLL JUNE 16, 2023

The Board approved the June 16, 2023 payroll in the amount of \$2,186,847.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Blind Gallery in the amount of \$2,000.00 for the Facilities Department
- Jatheon in the amount of \$7,649.00 for the Information Technology Department
- BOE in the amount of \$4,004.00 for the Information Technology Department
- SHI in the amount of \$12,291.91 for the Information Technology Department
- Right! Systems, Inc., in the amount of \$2,583.54 for the Information Technology Department
- Dell in the amount of \$1,538.24 for the Information Technology Department

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for The Undiscovered Barrel to be used 6/18/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Jacob Taylor, Deputy Sheriff – Inmate Control; Patricia Rabdau, Criminal Investigations - 41008; Atanacio “Nacho” Montes, Deputy Sheriff - Patrol 41006; Jeff Betzold, Corporal - Supply 51004; and Randall Pyell, Corporal - Patrol 41006.

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, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas, Fair Director Diana Sinner (left at 9:35 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Public Hearing to consider proposed updated admission fees for the Canyon County Fair:

No one appeared to offer comment and no comments have been received via email/mail/phone-call. Director Sinner reviewed some of the fees being updated including livestock tie-out fees and reserved seating concert tickets. Mr. Wesley stated that there are no concerns from legal and that Director Sinner has documentation on how the fees were calculated. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to close the public hearing portion of the meeting.

Consider a resolution authorizing updated admission fees for the Canyon County Fair: Commissioner Van Beek made a motion to sign the resolution adopting the updated fees at the Canyon County

Fair. The motion was seconded by Commissioner Brooks and carried unanimously (see resolution no. 23-158).

Consider reasonable accommodation and settlement agreement with Moonlight Mountain Recovery, Inc. and D & W Investments 201, LLC for 13963 Purple Sage Rd, Caldwell, ID: Discussion was had regarding the fencing and it was noted that this agreement doesn't stay with the property, it is specific to this particular company. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the reasonable accommodation and settlement agreement with Moonlight Mountain Recovery, Inc. and D & W Investments 201, LLC for 13963 Purple Sage Rd, Caldwell, ID (see agreement no. 23-059).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:39 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) regarding records exempt from public disclosure and to communicate with risk manager regarding pending/imminently likely claims. 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, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas and COO Greg Rast. Clerk Yamamoto, Treasurer Lloyd and Mr. Klaas left the meeting at 9:50 a.m. The Executive Session concluded at 10:15 a.m. with no decision being called for in open session.

The meeting concluded at 10:15 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE ASSESSOR'S OFFICE

The Board met today at 10:32 a.m. for the FY2024 preliminary budget workshop for the Assessor's Office. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Admin Property Appraisal Supervisor Greg Himes, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, and Deputy Clerk Monica Reeves. Highlights were as follows:

Assessor's Reappraisal Budget

Salaries and Benefits Requests:

- A dedicated IT employee, which would benefit both the Assessor's Office and Treasurer's Office. It would be a new/reclassified position. Mr. Rast believes IT Director Jensen is including the position in the IT budget.
- Reinstate the GIS analyst/mapper position that was unfunded several years ago. (\$100,000 includes salaries/benefits)
- A Deputy PA to be dedicated to the Assessor's Office. The position would be in the PA's Office and the Assessor would fund it. (If the PA's Office is able to hire additional staff who can assist the Assessor there will be no need to double-up.)
- The County should look into providing additional pay for the offices whose employees do not have the luxury of working from home. Commissioner Van Beek questioned why the County, as a government agency post-COVID, is still offering the ability for employees to work from home. It warrants further discussion.
- The County should consider a differential pay for employees who are fluent in a second language. Mr. Rast said HR Director Rice is working on the specialty pay issue.
- Re-evaluation of one (1) management position.

In his letter submitted previously, the Assessor requested to adjust several customer service positions to Assessor Clerk I-IV. If a COLA is granted this year, barring anyone on a performance improvement plan, he believes all of his staff should be eligible for one.

Capital Asset Requests:

- Build stationary work areas for appraisers, 2 offices: \$25,000
- Annual ortho flight: \$20,000
- Upgrade multi-function printer: \$10,000
- Appraisal Vehicles (if Fleet has 4x4's available remove): \$80,000
- Security for administration building: *There will be a discussion on this topic at another time.*

He would like to budget \$5,000 for employee appreciation. Commissioner Holton asked the Assessor to include his concepts in the notes in PowerPlan.

\$55,000 has been included for computer equipment per IT's replacement recommendation.

Assessor-Motor Vehicle Budget

With ITD's modernization has come centralization. They took over the online and QR renewal transactions this fiscal year so the County does not receive any revenue from those transactions so we cannot spread out the cost of renewal transactions any longer which is why they adjusted the administrative fee in December and it was implemented on the February renewals.

Assessor Stender reviewed the renewal transactions. ITD has increased efforts telling people to renew online and so he is expecting a reduction in the overall amount of walk-in transactions, so he will need to revisit the admin fee for renewals and title transactions. They will not have the

renew by mail transactions to spread the cost. Looking at \$14 admin fee for renewal work. They are currently at \$9.50. At some point there won't be left with many in-office transactions that cannot be done online and that will have to be addressed at some point.

Customer wait times are up so they need to fill some positions.

They will lose the revenue from the renew by mail transactions so at some point he envisions ITD will ask large dealerships to bring their titles to the state office to save \$9 per title. Electronic titles will replace paper titles. There are a lot of unknowns that are coming in the future with centralizations.

Capital Asset Requests:

- Upgrade multi-function printer: \$10,000

Assessor Stender has a note in PowerPlan on regular employees to un-fund three positions, however, he does not want to do that yet. He may consider it next year. He was looking at going from fulltime employees to part-time employees and have them in the office during peak days/hours. He will monitor and watch for substantial changes.

He wants to work with HR on establishing a differential for bilingual staff and also for the cash handling.

There was discussion regarding the change in philosophy as it pertains to use of vehicles, fleet vs. using personal vehicles.

Assessor Stender responded to questions from the Controller regarding anticipated revenues. He will provide information/data on expected revenues.

The meeting concluded at 11:33 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER FINAL PLAT FOR C4 SUBDIVISION, CASE NO. SD2022-0004

The Board met today at 11:38 a.m. to consider the final plat for C4 Subdivision, Case No. SD2022-0004. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Engineering Coordinator Stephanie Hailey, Isaac Josifek, and Deputy Clerk Monica Reeves. Stephanie Hailey presented the final plat report stating it's a single-family residential development with 24 residential lots and one common lot, with internal public roads, pressurized irrigation and individual septic and wells. The preliminary plat was approved on October 12, 2021 subject to six conditions of approval which have been met. County engineering has reviewed and approved the final plat construction drawings, participated in a post-construction site visit and compiled evidence for condition compliance. The County surveyor reviewed and signed the final plat, which is in compliance with the zoning ordinance. Staff recommends 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 C4 Subdivision, Case No. SD2022-0004 as presented by staff. The meeting concluded at 11:42 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE FAIR AND FACILITIES DIRECTORS REGARDING POSSIBLE PURCHASE OF FLOORING FOR SIMPLOT STADIUM

The Board met today at 1:32 p.m. with the Fair and Facilities Directors to discuss a possible purchase of flooring for Simplot Stadium. Present were: Commissioners Leslie Van Beek and Zach Brooks, Facilities Director Rick Britton, Fair Director Diana Sinner and Deputy Clerk Jenen Ross.

Directors Sinner and Britton explained that currently concerts are held in the rodeo grounds but that it is very labor intensive keeping the ground maintained during the week of fair. They would like to purchase flooring which could be installed over the turf in Simplot Stadium allowing concerts to take place in there and other activities could then take place on the rodeo grounds. Director Sinner spoke about the research she's done on the product and about how there is still money available in her budget to make the purchase. Discussion ensued regarding installation, storage and other possible options for usage of the flooring when not being used for fair. Commissioners Van Beek and Brooks are both in favor of Directors Sinner and Britton continuing to work with legal regarding purchasing options. The meeting concluded at 1:44 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION APPOINTING MEMBERS TO THE GUN RANGE ADVISORY BOARD

The Board met today at 1:46 p.m. to consider a resolution appointing members to the gun range advisory board. Present were: Commissioners Leslie Van Beek and Zach Brooks, Parks Director Nicki Schwend, Outdoor Recreation Planner Alex Eells and Deputy Clerk Jenen Ross. Director Schwend said that they conducted four interviews and would like to appoint Nathan Guy and Lewis Shaver III to the advisory board, each with a 2-year term. She indicated that she hopes the other two gentleman will still want to stay engaged with the board and participate in meetings.

Commissioner Van Beek suggested the two other gentlemen could be alternate board members to ensure a quorum. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution appointing members to the gun range advisory board (see resolution no. 23-159). The meeting concluded at 1:50 p.m. and an audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 14, 2023

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Right! Systems, Inc., in the amount of \$2,000.00 for the Information Technology department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Heidi Brannon, Elections Specialist – temporary; and Amanda Tracy, Housekeeping.

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Clairvoyant Brewing Company LLC to be used 6/17/23 – 6/18/23.

APPROVED ALCOHOLIC BEVERAGE LICENSES

23-160 RENEWAL: Beer/Wine: Family Dollar, LLC dba Family Dollar Store #26963; and Pacific Sushi, LLC dba Pacific Sushi

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE WEST VALLEY HUMANE SOCIETY

The Board met today at 10:02 a.m. for the FY2024 preliminary budget workshop for the West Valley Humane Society. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, WVHS Executive Director Jennifer Adkins, WVHS HR Director Kimberly Mink, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, Facilities Director Rick Britton, and Deputy Clerk Monica Reeves. Jennifer Adkins has been the Executive Director since January of 2023, and Kimberly Mink has been with WVHS for nearly four years and today they are hoping to discuss some large projects and a request to expand within the

shelter. WVHS leases the building from the County and the improvements and maintenance are run through the Facilities Department. Their first lease was in 2011 for a \$300,000 budget, however at that time \$250,000 was paid to the County in 12-month increments. Inflation and expenses are much greater now than they were in 2011 and they would like an increase from the original amount that negotiated in 2011. In 2016 the lease agreement was altered so that \$100,000 of the \$300,000 budget was allocated towards maintenance, and the money amount from the County was reduced at that time. Ms. Adkins spoke about the services they provide and the grants they receive as well as their fundraising efforts. This year they plan to have a Fur Ball Gala in honor of Carly Cantrell with a live auction and a silent auction. Facilities Director Rick Britton said last year the \$100,000 was reduced to \$60,000. He needs to replace the flat roof on the shelter which is estimated to cost \$56,000, as well as replace the washer and dryer. Additionally, there is some infrastructure WVHS wants added to the facility. He asked where the roof replacement cost will be paid from. Commissioner Van Beek said the reason the amount was reduced is because the Board looked at what was used year-over-year and historically there was some difficulty in getting communication on the capital needs. Ms. Mink said they are working to have a better process to track things, and she will create a maintenance list of the things they would like addressed. Commissioner Van Beek said there should be some residual fund balance to help offset the costs that were already presented. She would like the Controller to prepare a budget to actual for the last five years. Controller Wagoner said it's recorded in PowerPlan under the current expense fund. There is no dedicated restricted fund balance just for the animal shelter, it's in the current expense fund balance. Ms. Mink said when the maintenance budget was reduced from \$100,000 to \$60,000 it was in anticipation of allocating the difference to the major re-roofing project. There are other programs they want to offer but they have run out of space and they would like to see if there is a way to add an additional building on the same lot. Can they build offices within the current sally port area that's being used for storage? Director Britton said they might be able to use the storage/maintenance building that's going to be built to the west of the current shelter, and turn the sally port into office space. One option would be to place a modular on the grassy area near the new warehouse. Infrastructure needs to be determined, but cost-wise it will be cheaper to utilize the sally port area. He thinks they can get four offices in that space which would be less expensive than a modular or to try to build a mezzanine area in the front lobby. He offered a small section on the bullpen side of the new warehouse, maybe put a Conex to store their supplies. Director Britton does not have any hard numbers and he wants to discuss plans and the costs with the Board. Once he looks at a new roof and a washer and a dryer it will eat up the \$100k pretty quickly so if we are going to stay at the \$100,000 amount he needs to make sure he has a contingency to take care of other maintenance issues that come up throughout the year. Clerk Yamamoto said his family has been involved with the shelter for a number of years and he is very surprised the shelter can be operated at a funding level of \$200,000. He encouraged WVHS staff to come prepared with financial information including expenses, revenues, and donation information including where the funding comes from, what their request is and what is the justification. According to Ms. Mink and Ms. Adkins, when the County was running the shelter the budget was \$1.2 million, and their current budget is \$2.5 million just to run the facility. Because of the way the facility is built they only have space to have two veterinarians at a time, maybe three if they squeeze it in but that is not favorable when doing surgeries. They would like an incinerator and they will work closely with the Facilities Director to

fit it into the existing structure. It would be the only cremation services offered in Canyon County. Director Britton said there is a lot of infrastructure to be in place and he would need an engineer to make sure it's done to code. It was decided that another meeting will be held to review the budget information and the project requests. Today's meeting concluded at 10:37 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER TREASURER'S TAX CHARGE ADJUSTMENTS BY PIN FOR MAY 2023

The Board met today at 10:54 a.m. to consider the Treasurer's tax charge adjustments by PIN for May 2023. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, and Deputy Clerk Monica Reeves. Commissioner Brooks reviewed the information noting the adjustments total \$1,124.81 and nothing looks out of the ordinary, and then he made a motion to approve the tax charge adjustments by PIN for May 2023 as provided by the Treasurer. The motion was seconded by Commissioner Van Beek. The meeting concluded at 10:56 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES STAFF TO DISCUSS TINY HOME CODE SECTIONS

The Board met today at 11:02 a.m. with Development Services staff to discuss tiny home code sections. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Director of DSD Sabrina Minshall, DSD Planning Official Dan Lister, DSD Building Official Tom Crosby, Keri Smith, COO Greg Rast (joined the meeting at 11:26 a.m.) and Deputy Clerk Jenen Ross.

A PowerPoint was provided to the Board and reviewed by Mr. Lister and Mr. Crosby. The presentation to the Board provided information with ensuing discussion on the following:

- County zoning ordinance pertaining to single family dwellings and secondary dwellings; land use zoning classifications relating to single family dwellings and secondary residences.
- County zoning ordinances pertaining to recreational vehicles and recreational vehicle parks; land use zoning classifications relating to RV parks and temporary uses.
- Requirements and exceptions for tiny homes meeting building codes relating to foundations, energy efficiency, stairs, emergency escape, ceiling height and lofts, etc.

The meeting concluded at 10:33 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEM

The Board met today at 11:38 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Controller Zach Wagoner, ADJ Davis VanderVelde, TCA Jamie Robb and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider the ARPA subrecipient agreement to receive State funds for one (1) Mediation Coordinator position: Ms. Robb provided the history of the position and how this money from the Supreme Court would help fund the position. Controller Wagoner said that the state needs this agreement in place so they are assured Canyon County knows how to handle and track federal monies. ARPA money must be encumbered by 2024 but he unsure how that relates to the personnel portion. Ms. Robb believes this may be a good way to determine if the position is beneficial to the county and Mr. Carlson doesn't see any issue with accepting the funds for this reason. If for some reason the position doesn't work out the Board has the discretion to dissolve the position and send any unused funds back to the state. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the ARPA subrecipient agreement to receive state funds for one (1) Mediation Coordinator position (see agreement no. 23-060).

The meeting concluded at 11:54 a.m. and an audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 15, 2023

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Beniton Construction in the amount of \$459,914 for the Facilities department

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 9:16 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Managers Kellie George and Jenniffer Odom, COO Greg Rast and Deputy Clerk Jenen Ross.

Case no. 2023-64 the decedent passed on June 1, 2023 and the Indigent Services office has identified that there are assets available in excess of \$1000 in social security benefits. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to deny the case.

Commissioner Van Beek made a motion to sign the lien release on case no. 2017-1585. The motion was seconded by Commissioner Brooks and carried unanimously.

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

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

The Board met today at 9:33 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. Carl Ericson, Deputy P.A. Zach Wesley (arrived at 9:38 a.m.), Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Director of Indigent Services Yvonne Baker (left at 9:38 a.m.), Indigent Case Managers Kellie George and Jenniffer Odom (left at 9:38 a.m.), Director of Facilities Rick Britton, Assistant Facilities Director Carl Dille, Guardianship Monitor Janet Caufield, Landfill Director David Loper (left at 9:54 a.m.), Representative from Western States Cat (left at 9:54 a.m.), EOM Christine Wendelsdorf (left at 10:03 a.m.), Haley Hicks and Brandi Long with Elections, COO Greg Rast and Deputy Clerk Jenen Ross.

The Board went off the record from 9:34 a.m. to 9:35 a.m. to discuss an administrative matter with legal regarding the BOCG resolution.

Following the recess, the action items were taken up as follows:

Consider Resolution Appointing Volunteer Lorinda Norton to Canyon County Board of Community Guardians: A background check has been conducted by HR and there are no concerns about appointing Ms. Norton as a volunteer. She will participate as a board member only; she will not be a guardian. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the resolution appointing volunteer Lorinda Norton to the Canyon County Board of Community Guardians (see resolution no. 23-161).

Consider taking comment on the record regarding proposed sole source procurement for a 2023 Caterpillar 623K Wheel Tractor Scraper for use at the Pickles Butte Sanitary Landfill: No one appeared to offer comment and no other comments were received. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to close testimony.

Consider Sales Agreement with Western States CAT for a 2023 Caterpillar 623K Wheel Tractor Scraper for use at the Pickles Butte Sanitary Landfill: This purchase is planned for the FY2024 budget but the agreement is being signed in FY2023 in order to start the build process. The total purchase price is \$1,131,000 which includes delivery freight charges, governmental buyback and governmental failsafe warranty. Once the sales agreement is signed by CAT a PO will be submitted by Director Loper. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the sales agreement with Western States CAT for a 2023 Caterpillar 623K Wheel Tractor Scraper for use at the Pickles Butte Sanitary Landfill (see agreement no. 23-061).

Consider signing estimate from Western States for rebuild of scraper: Once the new scraper is delivered to the landfill the old one will be taken for the rebuild. The timing is important in order

to make sure two scrapers are in operation at all times. The representative from CAT spoke to the lead times and why it's important to start this process now. Although the process is being started now the invoice will not be paid until FY24 and the document provided is just an estimate with a 5% contingency built in. Once the work is complete the scraper will have a powertrain and hydraulic warranty. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the estimate from Western States CAT for rebuild of a scraper. A copy of the signed estimate is on file with this day's minutes.

Consider Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Destruction of Canyon County Sheriff's Office Phone Equipment: This is for the destruction of flip phones with no resale value that were recently replaced with smartphones. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution designating surplus personal property with nominal value and authorizing the destruction of Canyon County Sheriff's Office phone equipment (see resolution no. 23-162).

Consider Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Destruction of Canyon County Sheriff's Office Dispatch Equipment: This is for computer towers that ran radio equipment in dispatch. The equipment is well over 10 years old, cannot be used for anything else and holds no value. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution designating surplus personal property with nominal value and authorizing the destruction of Canyon County Sheriff's Office dispatch equipment (see resolution no. 23-163).

Consider Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Destruction of Canyon County Sheriff's Office Radio Equipment: These are old portable radios that have been in use since 2007 but were recently replaced. They cannot be given to another agency as the encryption is about to be updated and these radios will not work with the updated encryption. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution designating surplus personal property with nominal value and authorizing the destruction of Canyon County Sheriff's Office radio equipment (see resolution no. 23-164).

Consider Notice of Ranking for Design/Engineering Services for the County Elections Building Project: Four submissions were received for this project and following committee review RBA Architects is the selected company. Legal has prepared a letter for Board signatures and to be sent to all respondents. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to sign the notice of ranking for design/engineering services for the County Elections Building project.

Consider Request for Qualifications for CM/GC Elections Building Construction Project: Director Britton feels this will be beneficial for the project in that it limits change orders and adds value engineering for the design engineering and CM/GC to work in conjunction. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the request for qualifications for CM/GC Elections building construction project.

Consider Legal Notice for Request for Qualifications for CM/GC Elections Building Construction Project:

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice for request for qualifications for CM/GC Elections building construction project.

Director Britton provided additional information about where details on the projects can be found.

The meeting concluded at 10:16 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH THE FACILITIES DIRECTOR AND A REPRESENTATIVE FROM BENITON CONSTRUCTION TO DISCUSS THE WAREHOUSE BUILDING AND ANIMAL SHELTER RENOVATION PROJECTS

The Board met today at 10:31 a.m. with the Facilities Director and a representative from Beniton Construction to discuss the warehouse building and animal shelter renovation projects. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Bryce Parker with Beniton Construction and Deputy Clerk Jenen Ross.

Mr. Parker said that they received two competitive bids for the pre-engineered metal building. Big D Builders is a company that they've worked with a lot on a local level. He spoke about the long lead times and the tasks that need to be started in order for the whole project to continue moving forward. A budget has been compiled for the scope of work; all the numbers are conservative numbers based on the market and what they've been seeing. In addressing a question from Commissioner Van Beek, Director Britton confirmed that the architectural portion of the project is already complete. Discussion ensued regarding the use of ARPA monies for this project and the tracking of expenses. Director Britton spoke about how the re-roofing of the animal shelter has been on the county's radar for several years; it is a 20-year roof and has exceed its lifespan. Mr. Parker said that the estimated completion date is next spring. Commissioner Van Beek made a motion to sign the purchase order to Beniton Construction (PO #5609, \$459,914). The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:55 a.m. and 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 with the Director of Development Services who invited the City of Nampa planning staff for a follow-up discussion to the April 24, 2023 joint meeting with the BOCC and the City of Nampa. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, Mayor Debbie Kling, Nampa Planning Director Rodney Ashby, Nampa Principal Planner Doug Critchfield, COO Greg Rast, Keri Smith, and Deputy Clerk Monica Reeves.

Director Minshall said several weeks ago, the County hosted the City of Nampa to talk about an Area of City Impact (AOCI) expansion request by Lake Lowell but today's follow up to this is not about the expansion request which is scheduled to be heard by the P&Z Commission and it will come to the BOCC for consideration as well. Today is the broader topic of area of impact and how we are coordinating and how we can do it better together with the City of Nampa. The primary is fulling working on the 2040 comprehensive plan and trying to explore the past, the current, and what our options are of how we work with the cities and what the collective goals are. It started with Nampa because it was a good example of some very recent comprehensive plan amendments they have done to their city comp plan which included some specific area plans. Dan Lister will give an overview of where there are similarities and differences. We have asked Nampa to tell more from their perspective of how an AOCI works, and give more recent subarea plans as examples and get some general dialogue and direction. As the Board has been working on the comp plan and you've been looking through the goals policies and actions, the crux point is it talks about those geographical areas that are in an area of impact, currently county, and if they are in an area of impact the intent is they will be city at some point and what does that look like? Commissioner Holton said we are not here today because of an applicant or a pending application, we are trying to do what is best for the two entities.

DSD Planning Official Dan Lister gave a PowerPoint was given on the following topics:

- Background Summary
- Concerns
 - Opposing visions/plans/definitions
- City's AOCI Purpose/Benefit
- Current Nampa Planning with the AOCI

Background

- AOCI boundaries and Joint Powers Agreement were adopted on 6-1-2005 (Ord. 05-014).
 - Purpose: Ensure health, safety, and welfare for County and Nampa inhabitants;
 - Applicable Comp. Plan: County;
 - Ordinance/Standards: Nampa (2003-2005) Ordinance unless waived by County;
 - Cases/Ordinance Amendments require Nampa review; 30-day review period;
 - Amendments of the Boundary or Agreement: IC Code 67-6526(d).
- Boundary expansions
 - Ord #16-010, 9-2-2016
 - OR2023-0002: Southwest expansion – In process

Agriculture

2030 Comp Plan

- 5 Goals and 10 Policies protecting agricultural lands, supporting farmers and farmland, recognizing agricultural support operations, minimizing land use conflict that poses impacts to farmland, and supporting public education regarding local agricultural uses.
- CCZO Section 07-02-03
 - Setbacks; minimum parcel or lot size; height regulations
 - Purposes of zones

There was a review of proposed maps and zoning designations, followed by discussion regarding the City of Star expanding in to areas outside of their impact area.

Rodney Ashby said the County and the City of Nampa are trying to plan for these areas and when there are inconsistencies and confusion about the state code and the vision of where we are going it's really challenging to plan for that area. Doug Critchfield and Rodney Ashby gave a PowerPoint presentation on the following topics:

1. Land Use Coordination

Coordinating land use between the City and the County is a challenge for landowners, planners, elected officials and the community. Past planning efforts have led to different conclusions:

- View of land use in the City's Area of Impact:
 - City is planning for orderly contiguous growth in denser developments with smaller lots
 - County code allows for lots that are typically larger than the City's lot size restrictions
 - These different land uses create compatibility conflicts as they grow together
- "Agriculture" land uses are interpreted differently
- Agricultural land preservation is considered a product of higher density within the City combined with intensive agricultural overlays in the County, but it is unclear what the relationship is between the two approaches and the role they play in future planning.
- The City and County require a long-term land use vision to plan for utilities, transportation and services. Currently these visions differ and need to be more aligned.

2. What is an Area of City Impact (AOCI) to the City?

- The AOCI is negotiated with the County (State Code 67-6526) and utilized by the City to plan for future growth - not an annexation map. A property owner can annex land outside of the AOCI into the City (State Code 50-222).

- The AOI is used for anticipating economic development, school needs and locations, and regional connections; and promoting orderly growth patterns per the comprehensive plan (State Code 76-6508).
- The AOI is viewed as an area that can absorb population with denser development promoting the preservation of contiguous rural agricultural land in the County.
- The City relies on the AOI and its land use designations of the future land use map for master planning of utilities, roads, and budgeting for future service needs.
- Land use designations determine the potential zoning that could occur when a property is annexed.
- Land use designations outline where natural features, such as Lake Lowell, the Boise River, and creeks can be preserved for recreational use and open space.
- Transportation corridors are viewed as opportunities for Smart Growth areas in the AOI.

There was a review of Nampa's Future Land Use Map

3. What are Specific Area Plans; Why Do We Have Them and How Do We Use Them?

- The use of Master Plans and Specific Area Plans for geographic areas of the City have been contemplated and utilized by the City of Nampa for several years.
- Specific Area Plans take a closer look at future planning areas defined by a geographic boundary. Generally, these boundaries are centered around transportation corridors and limited by proximity to the corridor. They are more detailed in their land use descriptions, based on landowner feedback and refined by broader input. They include a view of themes, streetscaping, lighting, open space areas, trails, school locations, and other details for the area.
- The City will involve the County in the development of the Southwest Specific Area Plan.

There was a reviewed of the SR 16 Specific Area Plan

4. What happens when a subdivision is proposed in the County in the City's Area of City Impact?

Per the Joint Powers Agreement (2005):

- The County notifies the City and requests feedback
- The City reviews the application for compliance with the Nampa Future Land Use Map, Specific Area Plans (if one exists for that area), and Comprehensive Plan requirements.

- If the proposal is non-compliant, the City will notify the County or testify opposing the project. If it is compliant, the City will notify the County in support of the project.

- The BOCC then has the final decision about the application.

Pre-annexation

- Recently, the City has requested that applicants apply for pre-annexation.

- If water is available and the project meets the density, lot size, open space, transportation and engineering requirements, the City will take the project through a pre-annexation process, with an agreement between the City and developer for hookup to City utilities and Pre-annexation.

- If no water is available, the same process applies, but the agreement is for pre-annexation only.

- If approved by the City Council, the applicant takes the project to the County for approval and the City will respond to the request for feedback supporting the project.

- If denied by the City Council, the City will respond to the application opposing the project.

5. Joint Powers Agreement Update

The Joint Powers Agreement was updated in 2005 and needs to be updated to help the City and County work together on common goals:

- Clear definition of agricultural land preservation (City and County's role)

- Policy that recognizes the pre-annexation process

- AOCI overlay policy (if adopted)

- Pre-application meeting with County and City

- Clarification on the approval process steps

Mayor Kling said it's nice to have something in place to help guide the future because there are times when the County approved a development (against the City's wishes) and what happens is it becomes a safety issue in terms of lack of sidewalks, pathways and it puts people in the roadway and it becomes problematic for kids and school buses when there isn't a safe pathway. They are trying to figure out internally how the city will fund all the areas that don't have sidewalks in those County-enclaved properties within the city. To have the teams work together to identify where it is applicable and working with the schools to find out what the bus route will be like and what's needed. There may be applications where it works and applications where it doesn't. Doug Critchfield said the crux of what we need to do in order to work together is develop a common set of rules on how we operate and under what set of rules do we make these land use decisions. (Mayor Kling left at 3:00 p.m.) Commissioner Holton said we should make a matrix of the upside and downside because it's a complicated issue with many different facets and it would be best to represent to the public what we are contemplating. He looks forward to further discussion, but it

needs to be boiled down succinctly and represented in a flowchart or graphically so people can grasp the large concepts we are talking about. He spoke of the importance of identifying corridors and protecting and creating a plan for corridors, and if we can coordinate on that with like definitions and it would be best to plan together.

6. How Does the City and the County View Agricultural Land Use?

- County's view of agricultural land generally is land that is in or has the potential to be in agricultural production, family farms and agricultural uses.
- City views agricultural land use as open space with "rural uses", such as large lots, community gardens, low impact recreation, local produce production, farmers markets, and preservation of natural areas. The current view is more like "Very Low Density Residential" than agriculture.

County Agriculture land use and City Agriculture land use

7. How Does Cluster Housing Work in an Agricultural Designation?

- The recent City of Nampa code updates adds a provision for cluster housing in the Agricultural land use designation (Ag and RA Zoning Districts). This is new type of use that has implications for the County and the City moving forward.
- It involves clustering the housing in high density pockets, preferably on lower quality land, while preserving the surrounding area for open space or low-impact agricultural production.
- The Density does not exceed 2.5 DU per acre, and most of the lot sizes are small (3-7,000 sq. ft.)
- A Planned Unit Development or Master Planned Community would be required with a development agreement in place and tied to the parcel(s).
- The preserved land would come under the control of some type of preservation entity for its long-term viability and care.
- An ordinance would be produced that protects the codes and preservation requirements, similar to Harris Ranch in Boise.

Cluster housing examples

8. Ag Land Preservation – Mutual Support for Desired Outcomes

With the County's support, the City continues to promote open space preservation, cluster development, denser development, and recreational areas that support the natural features of land within the AOI.

With the City's advocacy, the County continues to define agricultural preservation outside of the AOI and is intentional in the implementation of policies to achieve desired goals and objectives (TDR program, ag tourism, agricultural overlays).

The City involves the County in the development of Specific Area Plans in areas that are largely under County jurisdiction.

Canyon County and cities are looking at how AOCl's are handled in other Counties and bringing back suggestions on how planning efforts can be more aligned.

County land on the fringe of the AOCl has City advocacy for County agricultural preservation goals.

Mr. Critchfield said if we're going to do a transfer of development rights program, what does that mean for the city and what does that mean for the County? What does agritourism mean and what portion of that should be accommodated in a denser environment, and what should be accommodated in the County? Those were avenues that were mentioned in the comp plan and the city wants to participate and help define those things. What do the subarea plans look like, particularly the ones that are adjacent to the city limits? What does it mean for the County to preserve agriculture versus the city? It can be worked into the joint powers agreement on how to do that.

Director Minshall has reached out to Ada County's DSD Director and planning manager meet with the city and the County planning staff and talk about how they worked these things and how they wished they had worked them, so we can absorb and come up with some mutual recommendations on what might fit. She wants the AOCl agreements to be the same as much as possible on how we work with them, unless there is something people want procedurally different. Director Minshall's understanding is staff needs to work on the following areas: Ag continuum, and have conversations about corridor level, especially around major transportation corridors.

Commissioner Holton said the history of the Board has not be consistent and it would be remiss to think they will be a Board in the next 20 years that will be very consistent in land use. We can make MOUs and agreements it will help in the consistency, but the areas of impact for the public is very confusing and we should consider a boundary area so that land that is likely within the next 36 months to have public utilities available is treated "this" way in land use decisions, and land that is unknown of any certain date for public utilities is treated "that" way because in areas of impact there is a group of people interested in the transfer of private property and they harp on this all the time about whether there will be public services available and they are some of the people who know who is trading what and what the likelihood of it turning it into a development is and so we should look at this together in a tiered level. Commissioner Van Beek wants to discuss the area around the lake, Lakeshore Drive, and the wildlife refuge.

Mr. Lister said we need to have continued conversation with the city about how they are expanding. How long do you think it will take to get down there with services? If it's more than 5-7 years, maybe it's in the comp plan but it's not in the AOCl and perhaps what we need to talk about is what the city can get to in the next 3-5 years and talk about how we plan together and then continuously have updates every 6-12 months, rather than coming back every 5-7 years. Talk more about boundary shifts.

Commissioner Van Beek said Senator Lakey has a bill that's going to the legislature this year and she would like to include him and figure out what's good for the cities and the County.

Director Minshall said with state law you can have an AOCI that has a lot of other considerations, it may not just be about what you can get to services and so they will get their collective planning department heads together and have dialogue about the issues. We could have certain areas in both comp plans that says in these areas under that condition is when the County would use the city's comp plan because the services 3-5 years imminent. It could be done almost like an overlay where your rules could be different, and every 2-3 years there needs to be a formal recognition as part of the comp plan process - what kind of amendments are we getting, what are the pressures that are coming from the development?

Commissioner Holton said Canyon County is continuing to consume our prime agricultural farm ground and his terminology might mean something different than someone else's terminology, but we have to look at our ag ground consumption and what is happening and we have to be careful. As a city you have different goals than the County and we have to articulate that so people are aware of the different goals and we cannot replace the seed production if we sit a planned unit development in the middle of ag ground. It's such a severe impact on that ag operation. What we are contemplating in most parts of Canyon County is production farm ground that we would be backing up to in the spot developments that are outside and that is huge and we have to be careful in what we are contemplating. Ag production is being consumed and we have to be cognizant of that and that we live in the middle of a desert and any residential development placed in the middle of the County is going to consume all of the irrigation water and more domestic water than the ag operation did. There are areas within the County where the domestic aquifers are being stressed and there is a finite amount of ground water in specific areas and he doesn't know what that does for the rest of the County but we have to be careful on this growth to consider the different factors that we haven't touched on. Follow-up discussion ensued.

Mr. Critchfield said the city has had conversations about reducing the number of times they do updates to the comp plan and the future land use map. Their future land use map is starting to look like a zoning map and they are concerned about that because now individual properties are getting that type of planning overlay over the top of it to avoid a spot zone. The city and County need to work together on what that would look like. Commissioner Van Beek said the other factor is the landowner, the farmer who is actively farming that ground and there has to be some level of flexibility in listening because 19,000 acres represented by 19 farmers is a significant number of holdings in land and she is not interested in transferring their wealth to someone else and that is what's going to happen. There is a missing component. There are large-scale diversified farmers, production Ag people that need that boundary but there are also people who can see the handwriting on the wall. There is a good example in Middleton where the County has listened because of their operation and size to stave development. Director Minshall said those are things the Board has to wrestle with and that is why comp planning and zoning exists. There is no guarantee that changes can happen no matter what property owners want to do - you have to find the right place in that spectrum for the community values. This is a place where we can find

the commonalities. She's heard today that we need to strive for consistency and transparency so it's predictable no matter if it's a property owner who is farming now, or a property owner who is moving there, or the neighboring property owner. Commissioner Van Beek said we need help with the planning and the cooperation.

No Board action was required or taken. The meeting concluded at 3:49 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER A RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO MI RANCHITO

The Board met today at 3:59 p.m. to consider a resolution granting a new alcoholic beverage license to Mi Ranchito. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the alcoholic beverage license (beer/wine) for Mi Ranchito, LLC dba Mi Ranchito. (Resolution No. 23-165.) The meeting concluded at 4:00 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM
CALDWELL, IDAHO JUNE 16, 2023

No meetings were held this day.

JUNE 2023 TERM
CALDWELL, IDAHO JUNE 20, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- CDW-G in the amount of \$1131.00 for the Information Technology department
- Dell in the amount of \$3062.82 for the Information Technology department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Gabriel Huerta, Deputy Sheriff – CID/Metro; Bunny Malmin, Sr. Admin. Specialist; Bree Kilbourne, Sr. Finance Specialist.

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Frontier Club/Roosevelt to be used 7/9/23; Palace Event Center to be use 6/25/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Les Schwab Tires in the amount of \$16,112.32 for the Solid Waste department

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 9:16 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Indigent Services Yvonne Baker, Case Manager Kellie George and Deputy Clerk Jenen Ross.

Case no. 2023-65: Indigent services has determined that there are resources available to cover the cost of cremation and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to deny the case.

Case no. 2023-66: Indigent services has determined there are no resources available for cremation and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a denial on the case.

Case no. 2019-927: This individual has sold her home and the title company has settled the debt owed to the county. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the lien release.

The meeting concluded at 9:22 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:30 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Fair Director Diana Sinner (left at 9:34 a.m.), Solid Waste Director David Loper, Chief Deputy Assessor Joe Cox, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Entertainment Coordinator Agreement with Rico Weisman for the Canyon County Fair; and entertainment contracts with Curtis Carlyle, Hispanic Folkloric Dancers of Idaho, Killarney Irish Dance Company, Summerwind Skippers and Rebecca Borczon for the Canyon County Fair: Director Sinner gave a brief review of what each agreement provides for the fair. These are the same as agreements used in the past and are prepared by the PA's Office. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Entertainment Coordinator agreement and entertainment contracts as noted on the agenda (see agreement nos. 23-062 thru 23-067).

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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Solid Waste Director David Loper, Chief Deputy Assessor Joe Cox and COO Greg Rast. The Executive Session concluded at 10:41 a.m. with no decision being called for in open session.

There was no discussion regarding the Pickles Butte Sanitary Landfill Beautification Project.

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

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE PUBLIC DEFENDER DEPARTMENT

The Board met today at 10:42 a.m. for a FY2024 preliminary budget workshop for the Public Defender department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Sarah Winslow, Chief Public Defender Aaron Bazzoli, Assistant Public Defender Scott James, Public Defender Eric Ellis, Other Public Defender staff, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Bazzoli provided a review of his letter submitted to the Clerk/Controller and some of discussion topic included the following:

- No capital expenditures are anticipated this year.
- Review of case numbers assigned to public defenders
- Not asking for any new positions this year but they do have several staff who will need to be evaluated in their step.
- Review of expenses budget provided within the Canyon County budget presentation document
- Legal research will need to be \$43,000
- Computer equipment is based on IT recommendation of \$35,000
- Tried to keep the 'B' budget similar to FY23 budget

At the request of the Clerk, Mr. Bazzoli spoke about the State recommended caseload numbers. Mr. Wagoner spoke about the possibility of another PDC funded position and how that will need to be included in the expense side of the budget. Discussion ensued regarding accrued vacation and sick hours once the state takes over in 2024. Mr. Bazzoli said that last year the commissioners

made the county competitive in regard to salaries and he would like to see the momentum continue. The meeting concluded at 11:28 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 11:47 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution approving a change of a department name from Public Information Office to Constituent Services: Mr. Rast explained that there have been informal discussions around changing the Public Information office/department to Constituent Services. One of the reasons he's proposing this change as there has been some confusion about having a Public Information office and a Public Information Officer position. With the county growing and having a Public Information Officer in the Sheriff's Office this delineates the difference between the two. Mr. Rast also spoke about changes he made to the org chart posted on the county website and the three functions of the Constituent Services including social media and outreach, public information officer and public records requests. Commissioner Van Beek spoke about the outside resources her and Mr. Rast used to develop the job description. Commissioner Van Beek made a motion to sign the resolution of Canyon county Board of Commissioners to approve a change of department name from Public Information Office to Constituent Services under the Board of County Commissioners. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider resolution for the job title and job description of one (1) position in Constituent Services: Mr. Rast said this resolution is to change the title from Public Information Officer to a Director of Constituent Services. His second recommendation is the job description that goes along with this. The grade has not changed, it is just a title and job description change. Commissioner Van Beek made a motion to approve the job description for the Director of Constituent Services as presented by Chief Rast. The motion was seconded by Commissioner Brooks and carried unanimously. Commissioner Van Beek made a clarifying motion to say she should have included the job title change from Public Information Officer to Director of Constituent Services with a job description and the accompanying pay grade. The motion was seconded by Commissioner Holton and carried unanimously.

Mr. Rast said that the first step he'll need to take is to work with the Controller and HR to get the department and position name changed. Once that is complete he would like to go out to market as soon as possible. Commissioner Van Beek noted she is supportive of Mr. Rast's plan and stated that this did not grow government, the Sheriff's Office also converted and unused PCN to accommodate the request to have a public information officer.

The meeting concluded at 11:56 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY KM ENGINEERING LLP, REPRESENTING RICHARD ALBISU FOR A COMPREHENSIVE PLAN MAP AMENDMENT AND CONDITIONAL REZONE, CASE NOS. OR2022-0007 & CR2022-0015

The Board met today at 1:35 p.m. to conduct a public hearing in the matter of a request by KM Engineering, LLP, representing Richard Albisu, for a comprehensive plan map amendment and conditional rezone, Case Nos. OR2022-0007 & CR2022-0015. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, DSD Planner Debbie Root, In Favor: Nikki Albisu and Stephanie Hopkins; In Opposition: Katie Van Vliet, Marnie Vandenberg, Leonard Andrew, Patti Wilson, Mary Kay Kerger, Don Caldwell, Tyson Meeks, Karl Herger, Emery Meeks, Mary Ihli-Laan, Sid Freeman, Snereding, Mary Beumeler, Mike McClurek, Greg Dean, Lance Pitcher, George Crookham, Debbie Middleton, Casey Crow, Cindy Crow, Larry Smith, Natalie Levi, Sharon Braun, Dennis Evans, Donna Evans, Barbara Albiston, Daryl Albiston; and Deputy Clerk Monica Reeves.

DSD Planner Debbie Root gave the oral staff report on the applicants' request to amend the future land use designation from Agriculture to Residential, and a conditional rezone from an "A" (Agricultural) Zone to a "CR-R-1" (Conditional Rezone - Single Family Residential) zone. The request includes a development agreement to restrict residential development within the "R-1" zone to no more than 54 residential lots, and one common lot. The property is located northeast of the intersection of Galloway Road and Old Highway 30 intersection. A conceptual plan was submitted for the Sugar Ranch preliminary plat. Ms. Root reported on the property history, soils information and agency comments. The average lot size in the area is 27.72 acres. There are 15 platted subdivisions within one mile of the subject property that are clustered and abut Middleton's impact area. 12 of the subdivisions were platted prior to 2004, and 8 of the 15 are phases of a development. Canyon Soil Conservation District does not recommend a land use change at this location. The surrounding property is owned and farmed by dairy operators. It is not located near city services. The applicants are proposing individual wells and septic systems and pressurized irrigation. Black Canyon Irrigation District will require any laterals affected by the land change to be piped. Stormwater will be required to remain on site. They will utilize existing access on Galloway Road and will add an access point to Old Highway 30. The proposal exceeds the growth forecast by COMPASS. Canyon Highway District stated current conditions do not appear to warrant a traffic impact study. The property is located next to the Amalgamated Sugar beet dump, and is located in a nitrate priority area. If the proposal is approved, staff recommends a community well and sewer system be required. The proposal does not align with several goals and policies of the comprehensive plan. Staff received many letters in opposition citing concerns with additional traffic with already existing safety concerns, incompatibility with intensive agriculture, the loss of farm ground, and the impact on services. The P&Z Commission recommended denial of both the comprehensive plan map amendment and the conditional rezone. Staff recommends denial of both requests. Following the report, staff responded to questions from the Board.

The following people testified in support of the request:

Stephanie Hopkins with KM Engineering offered testimony on behalf of the property owner and the developer. She testified the project supports several goals and policies of the comprehensive plan. Their client came to them after trying to farm the property and after pursuing other options and the reason they requested a comprehensive plan map amendment and rezone is because there are a lot of challenges in terms of irrigation and farming. They understand the concerns and are willing to look at the potential of requesting a different zoning designation that might align with two-acre lots or something larger. The subject property is approximately 71 acres and is located 1,500 feet north of Purple Sage Elementary, and is close to the Purple Sage Golf Course. There are several residential subdivisions in the area and commercial properties exist south of Purple Sage Road. The concept plan has been designed to be compatible with adjacent uses and will provide a nice transition to agricultural uses as the area starts to grow. Having one-acre lots at this location is more appropriate for the existing uses than what could potentially be in the City of Middleton. Services are not available so they will utilize individual wells and septic systems. The City of Middleton shows the subject property as having a residential designation. Ms. Hopkins reviewed the conceptual site plan and said they will make improvements to Old Highway 30 along their frontage as well as extending a public road to the site to act as a main point of access. There will be no direct lot access. Galloway Road would be improved to standards for public road access. As part of the development improvements would be made to the facilities and would vastly improve how irrigation is received by properties in the area. Following her testimony, Ms. Hopkins responded to questions from the Board.

Nikki Albisu offered testimony regarding property rights and rights of use. She understands her rights do not supersede the rights of others, however, the rights of others, including farmers, should not be given precedence either. The decisions should be based on substantial evidence and facts, not organized community opposition, opinions, assumptions, conjecture or inconveniences. It should also recognized and prioritized personal property regarding the best use of land. The property's soil challenges limit agricultural productivity and profitability. Black Canyon Irrigation District will greatly benefit from system repair and upgrades saving them hundreds of thousands of dollars. The homes will utilize water from Black Canyon for surface irrigation resulting in a minimal impact on an already plentiful aquifer. EMS reported no concerns, and traffic impacts will be mitigated through dedication of a public right-of-way and frontage improvements. Middleton schools have sufficient space to serve the families, and this location is ideal for housing. Farmers will continue to be protected by the right to farm act, and the applicants will be proactive with signage and efforts to support them. This project does not interfere or disturb the rights of adjoining landowners or create a private nuisance. It may be inconvenient for some with more cars on the road, but there is a difference between a nuisance and an inconvenience. The property is in the Middleton future comprehensive plan. Following her testimony, Ms. Albisu responded to questions from the Board. Commissioner Van Beek disclosed she met Ms. Albisu during a comprehensive plan hearing where she was a presenter.

The following people testified in opposition to the request:

Katie Vandenberg Van Vliet is an attorney with Sawtooth Law Offices, the firm which represents Bill and Shirley Vandenberg and their dairy, and she offered testimony on their behalf. The Vandenberg Dairy, which has been in operation for over 40 years, is located two miles from the subject property. They own 217 acres that share a property line with the subject property and another 154 acres less than ½ mile away. The Vandenberg farm the fields to grow crops for the dairy herd including spreading manure on the fields. She stated the applicant made disingenuous and misleading assertions about the land not being farmable, there being plenty of room in schools to handle the kids, and that the development is compatible with surrounding uses and is consistent with the comprehensive plan just because it's close to a public school. However, those in opposition testified with a very different story. The development is averse to the goals and policies of the county code and comprehensive plan, and the proposal runs afoul of the Local Land Use Planning Act because it does not encourage protection of ag land or encourage development within incorporated cities. It is too early to develop this area, and a residential use is incompatible with surrounding agricultural uses. The right to farm act does not adequately protect farmers and it is irresponsible to allow spot zone developments where city services are not available and individual wells and septs will threaten the water supply.

Tyson Meeks is a fulltime farmer who farms in the area and he is opposed to the proposal and the concept that the property is not viable farm ground. It's not currently being used to its full potential but perhaps someone else could have more success on the ground. He responded to questions regarding traffic in the area.

Marnie Vandenberg is opposed to the request, and she testified about the importance of protecting farm ground. She said there is plenty of dry ground, BLM ground that can be purchased for homes, and she spoke of the accidents that have occurred in the area.

Leonard Andrew has a degree in agronomy and testified the subject property is productive. His father homesteaded in the area in the 1950s and cleared his land of sagebrush. He and his father have owned and farmed their property for nearly 65 years, and he testified about their farming operation, irrigation history, and property history. Theirs was one of the first production fields deep plowed in the area and it became a standard management practice for the area and improved crop production greatly. It also became one of Crookham Seed Company's best breeder stock seed producing fields in the area. He testified about the irrigation history with Black Canyon Irrigation District and spoke about the siphon on the property where the danger is great due to a swift moving current that could pull a person or a pet into the pipe.

Emery Meeks testified that all letters of opposition are from people who live and farm in the area and they can speak to the real-life issues in the community. He spoke of neighbors who divided property so they could qualify to irrigate some grass with their domestic well, but in the heat of the summer they expect to see a diminished flow out of their domestic well. Mr. Meeks is concerned about the traffic accidents in the area as well the potential impacts to the water table. He said as time goes on, farmers cannot afford to own more property, but they are content to lease/rent it.

Mary Beumeler testified in opposition and referred to aerial photos that show the proposed development is in the middle of productive farm ground. There are houses in the distance but if we are to develop in an orderly fashion and not fragment farm ground we should bring it in an orderly fashion up to Galloway Road. She addressed the lot size and said since it's in a nitrate priority area DEQ does not recommend nor allow lots under 5 acres to have private wells/septics as they are the worst contributors to nitrates. Ms Beumeler is concerned about water quality and quantity as wells are going dry in the valley. She testified about the importance of preserving farmland and said if you don't have permeable land with water refilling the aquifer, the aquifer is going to down. She also spoke about the safety issues on the roadways in the area.

DSD Planner Root said Southwest District Health does allow for septic and wells on one-acre parcels and they have to do a subdivision engineering report to quantify the development of those properties. She does recall DEQ indicating there are some significant concerns with the nitrate priority areas north of Middleton and in this area, but she cannot corroborate a 5-acre parcel requirement. Mr. Lister said staff did not receive comments from SWDH so we do not have their understanding of the area, staff is aware of it from other projects they have worked on. Regarding DEQ's informational comments, if the request is approved other things will have to be looked at. Mary Ihli-Laan testified that she was born and raised in the area and her family is predominately in the agricultural field and the subject property is in an agricultural area. She has been in public education for 35 years and is concerned about safety issues such as traffic and the school in the area. Agricultural vehicles are on the road and people lose patience with school buses and the additional traffic is a safety concern to her.

Sid Freeman testified regarding traffic accidents; the economics of farming the property; and his farming experience in the area. He said the property is viable farm ground regardless of the soil types. He estimates there are 70,000 tons of beets that go into and out of the nearby sugar beet receiving station every year which is \$7.3 million annually. There are 2,540 acres in the area and if 60% of that is farm ground, you are looking at 1,524 acres on average and that's an additional \$2.2 million dollars. The higher intensive farming you have in an area, the higher that number is. On the value of the surrounding land and the sugar beet pile, you are looking at over \$48M annual renewable income spread out through the local economy and it is extremely important to have that in mind. The best use of the land is agriculture - not residential.

George Crookham testified in opposition and on behalf of the Coalition of Ag's Future, and his testimony focused on economics. On two acres the taxes are \$2,740, and the cost of services will be \$3,288 which is a net loss to the County of \$548 for every two acres. Farmland: the cost of services for every dollar they get .65 cents back in services. The income on \$17.20 for two acres and the cost of services is \$11.18, a gain of \$6.02. Sweet corn growers get paid approximately \$10,000 for every two acres of sweet corn. The cost to the seed companies in processing is another \$10,400 for every two acres so the combined economic value for sweet corn seed alone is \$20,400 but they sell it for significantly more and 90% of the income comes from outside of the state. It is a basic industry. What is the impact those two acres have on the world? The amount of seed produced off of those two acres can create 2.4 million 15 oz. cans of sweet corn. This is a matter of economics and best use.

Greg Dean works for Amalgamated Sugar and he gave testimony regarding their receiving station in the area. The company previously submitted a letter of opposition from February of 2023 which states about 200 loads on average come during the harvest operations and piling of sugar beets. On peak days the number of trucks on a 12-hour period can be as high as 400, so there is a lot of heavy truck traffic in the surrounding community and safety is their number one concern. The beet dump has been there for over 30 years and housing has come up around them and there are clashes that happen based on safety, noise, and smells. They continue to oppose this residential subdivision because they do not believe it's in the best interest of the sugar beet industry and of Amalgamated Sugar. Sugar beets have been grown on the property and they have had reasonable yields. They receive beets for 6-8 weeks and they store and periodically take beets to the factory for processing from September to February.

Larry Smith has lived across from the northwest corner of the property since 1984 and he owns 2.5 acres. His concerns include water issues, impacts to the aquifer, and traffic accidents. He believes a project with 50+ houses should have a central well rather than individual wells.

Dennis Evans lives east of the subject property and his main concern is the impact to ground water and who will pay for his well if it goes dry. He is concerned about the ability for younger farmers to lease farm ground, and he has concerns about traffic congestion and a lack of infrastructure. Mr. Evans has lost two dogs to the siphon that runs through the property. He is concerned the turn lane will be in front of his property and will take up some of his ground. He believes complaints by neighbors about ag operations and allowing too much residential development will eventually lead to stifling restrictions on what a farmer can do.

Natalie Levi testified she is a five-year farmer who moved to this area from the city and she has learned a lot from farmers in the area. She met with the neighbors, and they are not happy with the system. She is on her second watering and is at one inch per acre and is being threatened with less water. She said subdivisions have a different mentality, but farmers are here to protect the future and the food and the animals. Ms. Levi is opposed to the development of viable farm ground.

Sharon Braun testified about her concern with road safety issues, traffic congestion, and accidents that have occurred in the area. She spoke of the need for isolation for seed crops that require aerial spraying, and is concerned about people complaining about crop dusting.

Rebuttal testimony was offered by Stephanie Hopkins and Nikki Albisu. Ms. Hopkins said the County is looking at community wells and potentially making that a requirement for preliminary plats going forward, and if this request is approved they would want the opportunity to discuss whether a community well would be more appropriate or if the individual wells would be appropriate. They designed their concept plan to make sure the lots are small enough to irrigate with individual wells. This is a nitrate priority area, and it's typically agricultural uses that contribute more to nitrate soil conditions. The applicant would include advanced treatment systems if approved and will work with SWDH. Traffic concerns are a large issue for everyone, and

it is a dangerous area and there are a lot of conflicting uses that would not meld so well with a residential development but they will work with the highway district to mitigate concerns and they would be amenable to working on a traffic impact analysis to understand how this development would contribute to traffic trips, how it would be distributed and how they can potentially mitigate those concerns. They have plans to improve the right-of-way along old Highway 30 and Galloway Road which would improve conditions on frontage. Development is what brings along infrastructure and it doesn't usually happen unless it's part of the capital improvement plan and has been prioritized by the County or city or if development pays their fair share to improve the facilities. The property owner tried to farm the ground and intended to farm the ground with a specific crop that is not compatible in their opinion with this ground and so they believe the best use of this property is development and they believe it would be a benefit to the area and provide a nice transition to existing ag ground and rural residential properties.

Nikki Albisu testified that at the previous hearing, Mr. Andrews, the previous owner, admitted he said it wasn't the best farm ground and there were problems with it and he said there were irrigation problems and it was a challenge to irrigate it and when he wanted to do something about that it just wasn't cost effective to put in irrigation system. Sid Freeman stated it wasn't prime farm ground. You can grow things, but you cannot grow them well. Ms. Albisu said people are using drone technology to spray crops which sprays lower and closer to the crops.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to admit the late exhibits (Exhibit #6E, which is a citizens petition against Canyon County; Exhibit #6F, a citizens petition against Canyon County, Case No. OR2022-0007 and CR2022-0015; Exhibit #6G, a petition titled Citizen Position Against Canyon County Cases; Exhibit #7, the applicant's presentation; and Exhibit #8, George Crookham's presentation.) Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Van Beek has no recommended changes to the staff report. The area is predominately agriculture, and we are looking at the impact to the ag industry by adding a subdivision. The numbers provided do not match her recollection of traffic trips generated and that would be problematic. There are outstanding issues with the irrigation component. The Board is scheduled to look at water issues, but fundamentally there needs to be a conversation with Black Canyon Irrigation District; they have stated they would tile those but she's heard that comes at a significant cost to developers and then to tile it without the opportunity for recharge would be problematic. The average lot size in this area is 27 acres. The Board has history with land use development and the DSD Director is interested in educating and helping the County with long range planning and so while there have been some properties in that area that have developed she doesn't have approval from the City of Middleton that says this area would be. She referenced the traffic fatalities in the area, and said the schools are at capacity and they have a hard time passing bonds. There is a property that a former Board approved as an R-1 development, and it was sold to an out-of-state developer, and they went to R-3 zoning but they cannot handle the load. Impact fees were passed, but at the time Canyon Highway District presented to the Board a lot of infrastructure and roadways in Middleton were classified as failing. Rural roadways are laden with accidents, and she is concerned with safety issues. There has been conflicting testimony about the levels of capacity at Middleton schools. We have to have a way to

make sure that the city's plan and the long-term development of how the County looks has to be taken into consideration. She referenced the Vandenberg Dairy operation in the area and said she does not have sufficient evidence to overturn the P&Z Commission's recommendation. Commissioner Brooks is not in favor of it. Not only is this development out of town, it is not even in the impact area, with the semi proposed density. Commissioner Holton said we are contemplating an island development outside of and not abutting any other higher density development and we have had a tremendous outpouring from the active farmers and their concern about production and safety. He is unable to support a comprehensive plan amendment with the criteria he has to measure it with and judge it off of. He is at a loss to support it. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek the Board voted unanimously to deny Case No. OR2022-0007, the comprehensive plan map amendment concerning Parcel R37934011 from agricultural to residential. Commissioner Van Beek does not support the rezone because it's not timely given there is still ag production happening in the area. There was no application for a nonviable parcel, and there is not support for the R-1 designation in this area. The applicants are willing to work on the irrigation components, which would be hugely beneficial to the farming community; however, there are a number of other things that did not overcome that. Commissioner Holton said the applicant said they would consider a community well system and that flexibility will become more the norm than the exception. They acknowledged the property is in a high nitrate priority area and we are all trying to figure out exactly what that means, although it is not good. They acknowledged they would need to have advanced septic tank systems and they understood there are traffic issues and they would be willing to work with Canyon Highway District. He agrees with the FCO's as prepared by staff. Commissioner Brooks said the first four conclusions of law that staff presented adequately sum up his position that R-1 is not an appropriate designation for this area at this time. It is not more appropriate than the current zoning and it would not be compatible with surrounding land uses and it would negatively affect the character of the area. He does not support the rezone. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks the Board voted unanimously to deny Case NO. CR2022-0015, a conditional rezone of Parcel R37934011 from "A" (Agricultural) to "CR-R-1" (conditional rezone single-family residential) zone for the reasons put on the record. The hearing concluded at 3:51 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 21, 2023

APPROVED CLAIMS

- The Board has approved claims 595859 to 595867 in the amount of \$5,352.00
- The Board has approved claims 595810 to 595858 in the amount of \$259,746.00
- The Board has approved claims 595948 to 595963 in the amount of \$7,003.25

- The Board has approved claims 595964 to 595993 in the amount of \$49,898.25
- The Board has approved claims 595877 to 595901 in the amount of \$33,260.11
- The Board has approved the May jury claim in the amount of \$11,129.18

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Global Industrial in the amount of \$3,459.28 for the Sheriff's Office
- Uplift Desk in the amount of \$9,920.00 for the Sheriff's Office
- Essential Objects in the amount of \$1,049.65 for the Information Technology Department
- Ferguson Enterprises in the amount of \$1,880.44 for the Facilities Department
- BOE in the amount of \$15,426.00 for the Information Technology Department
- Amazon in the amount of \$8,796.17 for the Sheriff's Office and Information Technology Department
- Dell, Inc., in the amount of \$45,584.64 for the Sheriff's Office and Information Technology Department

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Slicks Bar to be used 7/1/23.

FY2024 PRELIMINARY BUDGET WORKSHOPS

The Board met today at 9:32 a.m. for FY2024 preliminary budget workshops. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Sarah Winslow, Coroner Jennifer Crawford, Clerk staff Raena Bull and Jess Urresti, HR staff Cindy Lorta and Kendra Elgin, Elections staff Haley Hicks, Robin Sneegas and Brandi Long, Indigent Services staff Yvonne Baker and Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross

Coroner

Coroner Crawford reviewed the following budget items:

- *Misc. professional services*: Currently at \$25,000, an estimated increase of \$5000 is needed
- *Morgue supplies*: Currently \$3000, an estimated increase of \$2000 is needed
- *Misc. equipment*: Replacement of desktop printer at IT recommendation, total cost \$1550.00; this should be accounted for in the Computer Equipment line item 577100 (not misc. equipment). Discussion was had as to whether this amount is for a desktop printer or a workstation; Mr. Rast will verify.
- *'A' budget*: Controller Wagoner believes something should be included for the part-time line item.

- *Misc. Charges and fees:* Controller Wagoner recommend \$30,000

Salary adjustments will be reevaluated as the budget process goes on and is anticipated to increase.

The Board when off the record from 9:49 a.m. to 10:00 a.m.

Clerk

Controller Wagoner provided a review of the many roles the Clerk plays and the responsibilities of each of those roles and the departments that fall under his purview. The budget items were reviewed as follows:

Audit, indigent and BOCG

- \$140,000 budget for ADP
- \$70,000 for service contracts
- \$20,000 indigent burial fees
- 20,000 recommended computer replacements

Recorder

- \$27,000 for service contracts
- \$15,000 recommended computer replacements
- \$2,000 office furniture
- \$1,100 for binding plat books to organize, preserve and provide access to original plat detail and information.

Court Clerks

- Requesting 1 new, additional full-time Court Clerk III position
- Reclassifying 2 Court Clerk II positions to III's and 2 Court Clerk I position to II's
- \$4,000 budgeted for kitchenette remodel and one additional workstation
- \$135,000 budgeted for language access costs to provide contract interpreter services
- \$7,713 budgeted for 2 multifunction printer replacements based on IT recommendations

Elections

- Requesting 3 new, additional fulltime positions: 2 Elections Specialist positions and 1 GIS elections analyst/support position; and reclassifying 2 positions
- \$40,000 upgrade for Hart voting equipment from the embedded version of Windows 7 to Windows 10
- Approximate \$1M investment in new voting equipment
- Increase polling locations by 11 for a total of 51, providing 1 polling location for each precinct
- Increase to postage for mailing costs
- Building supplies and maintenance is at \$75,000 for furniture and cabinetry in the new elections building

- Repair and maintenance supplies is at \$15,000 to cover the cost of voting machine repairs

The meeting concluded at 11:24 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOPS FOR THE COMMISSIONERS' OFFICE AND THE CONSTITUENT SERVICES DEPARTMENT (FORMERLY KNOWN AS THE PUBLIC INFORMATION OFFICE)

The Board met today at 1:31 p.m. to conduct the FY2024 preliminary budget workshops for the Commissioners' Office and the Constituent Services Department (formerly known as the Public Information Office). Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Operating Officer Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, and Deputy Clerk Monica Reeves. Highlights were as follows:

Commissioners' Office

Mr. Rast said the budget is an accumulation of the individual conversations with each Commissioner. There are seven (7) funded positions: 3 Commissioners, 1 Chief Operating Officer, 1 Administrative Supervisor, 2 Senior Administrative Specialists, (one of the positions is currently vacant and he would like to split the position between the BOCC and Constituent Services). Two positions are deputized under the Clerk's Office.

There are no new positions are requested for FY2024.

"A" budget

In January of 2023 the Commissioners' individual salaries were reinstated from \$90,000 to \$112,793. He started in the Chief Operating Officer position the first week in January, 2023. The increase in the "A" budget from FY2023 to FY2024 is \$110,576 which is made up of the difference of the salaries that were increased and the addition of the COO position which was budgeted at a base salary of \$127,500 plus benefits. The budget could change pending the recommendation from the HR Department for the compensation program. After July 21, 2023, HR will present its proposal on market adjustments on nonsworn staff. His projections indicate a savings of \$66,325.51 on the "A" budget. The third vacant administrative staff position has helped with the cost savings. Mr. Rast said at one point there was discussion about adding a County Policy Manager, but it was decided to push that to FY2025 for further evaluation.

In response to a request from Commissioner Van Beek, Mr. Rast explained the role of his position and said there is a misconception that he advises the Board, but his role is to inform the Board and be the conduit between the Board and its directors that way if there any questions, or staff issues, he can make sure they get what they need without the Commissioners violate the open meeting law. He said before he held the COO position there was a delay because people had to wait 48 hours to get on the agenda, but now directors have the opportunity to have a point of contact and

if it's administrative he can talk to the Board and not violate the open meeting law, but if there needs to be a decision that is impactful on the budget and the County it will be put on the agenda.

Mr. Rast spoke of his public service which started in 1999 at the Oregon Department of Corrections; 14 years as the IT Director for the Idaho Attorney General's Office; and 8 years as the CIO for Canyon County. Commissioner Van Beek said Mr. Rast has been instrumental and key on compensation and his ability to hire quality personnel, and provide a missing component in the Commissioners' Office on director evaluations.

"B" Budget has increased by \$22,750

Miscellaneous professional services: in FY2020 there was \$3,546 used for consultation so he used that as a high point because there is Board interest for consultation, conflict counsel.

Cell phone increased from \$2,000 to \$3,800 (2 devices for the COO; an additional device for staff; and \$250 incidental upgrade if needed)

Gasoline and oil is projected at \$2,000 for a vehicle (2014 Ford Fusion used by Mr. Rast). The money is in the Fleet budget.

Education/Training: Mr. Rast attends an annual conference for a COO/CIO leadership and he is scheduled to attend in October.

Hotel/Airfare: The line item has been increased to cover an onsite jail visit in Skagit County, Washington with the Sheriff.

Employee appreciation: The BOCC has interest in doing employee appreciation, community events, and new business startup appreciation (plaques, etc.)

The office supplies and miscellaneous line items have been combined.

IT computer recommendations plus three computer monitors for the BOCC.

Small office equipment: \$700 for a new printer for the BOCC back hall

Office furniture: Conference table chairs and other incidentals if needed

Remodel: \$5,000 for a conference table, counter, a desk for Comm. Brooks, and miscellaneous improvements will be put in the Facilities budget.

Constituent Services formerly known as the Public Information Office (PIO)

"A" Budget - \$723 increase for FY2024

Currently there is one position: Director of Constituent Services (vacant). It is a backfill from a vacated position.

Senior Admin Specialist (to be shared 50% w/BOCC. The position is currently funded and vacant)

“B” Budget - \$6,950 increase for FY2024

3 mobile devices; equipment; education and training; community outreach, social media and special projects; computer equipment; and software.

The meeting concluded at 1:53 p.m. An audio recording is on file in the Commissioners’ Office.

ACTION ITEM: CONSIDER IDAHO DEPARTMENT OF PARKS AND RECREATION WATERWAYS IMPROVEMENT FUND GRANT AWARD FOR CELEBRATION PARK SNAKE RIVER BOATER IMPROVEMENTS

The Board met today at 3:00 p.m. to consider the Idaho Department of Parks and Recreation Waterways Improvement Fund Grant Award for Celebration Park Snake River Boater Improvements. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, Parks Director Nicki Schwend, Outdoor Recreation Planner Alex Eells, COO Greg Rast, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Director Schwend said the grant is for the improvements at Celebration Park to improve the parking lot, adjust the parking lot to improve the boat ramp, replace the gangway of docks, and create an ADA accessible pathway from the parking lot to the docks. It has an 18% match commitment from the County. The grant, which was written by Outdoor Recreation Planner Alex Eells, is a \$400,000 reimbursement grant that covers most of the staff’s salary for one year. Deputy PA Wesley said the County has signed reimbursement agreements many times and is familiar with the requirements. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign the Idaho Department of Parks and Recreation Waterways Improvement Fund Grant Award for Celebration Park Snake River Boater Improvements. (Agreement No. 23-068.) The meeting concluded at 3:11 p.m. An audio recording is on file in the Commissioners’ Office.

MEETING TO DISCUSS HISTORIC PRESERVATION GRANT AWARD RECOMMENDATIONS

The Board met today at 3:12 p.m. to discuss the FY2024 Historic Preservation Grant Award recommendations for FY2024. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, Parks Director Nicki Schwend, Outdoor Recreation Planner Alex Eells, COO Greg Rast, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. The Canyon County Historic Preservation Commission (HPC) received and reviewed five applications from five different agencies requesting fiscal assistance for a total of \$50,456 as follows:

Caldwell Historical Society

Requesting funds to hire a professional for the process of petitioning to list the Caldwell Luby Park Rose Garden and pump house on the National Register of Historic Places.

NRHP Listing for Luby Park Rose Garden and Pump House

Total Request \$11,780

- The pump house at the Caldwell Rose Garden was built in the 1920's; one of the first to service the City of Caldwell. Until 1933, the pump house was surrounded by debris and weeds. At that time, the Mayor of Caldwell set into motion a project to beautify the area around the pump house by planting a rose garden. This project was a Depression Era New Deal administrative program at the local level making it a vital piece of the history of Caldwell.
- NRHP listing would provide a mechanism to aid in obtaining grants and funding for the preservation and protection of an important part of Caldwell's history.
- The original pump house needs repair, though it is not used as a pumphouse today.
- This project was planned through consultation with the State Historic Preservation Office to ensure the property meets the criteria of the Preliminary Eligibility Questionnaire for NRHP listing.
- This is the first step towards preservation. Next step includes restoration of both the pump house and the Rose Garden itself (originally 5300 varieties of roses).
- The Rose Garden is available to the public during summer months from 8am to 3pm. The Rose Garden is available for rental April through September at a cost of \$50 for 2 hours or \$90 for 4 hours.
- Plan for a small museum in the Pump House.

Canyon County Historical Society (on behalf of the Nampa Arts and Historic Preservation Commission)

Requesting funding for hiring a qualified professional to perform a historic resources survey of two historic and unique Canyon County neighborhoods in Nampa.

Shalimar Terrace & Glen View Estates Neighborhoods Historic Resource Survey Total Request: \$19,716

- A major goal of the adopted City of Nampa Historic Preservation Plan 2020 is to conduct historic resources surveys of historic neighborhoods; including Shalimar Terrace & Glen View Estates.
- Shalimar Terrace consists of mid-century ranch homes (100-120 properties).
- Glen View Estates consists of modern log-cabin style homes (60 properties).

- This work will determine National Register of Historic Places registry eligibility; if a sufficient number of properties are eligible to the NRHP, the city will work to establish a local historic district.

Historical Society of Middleton

Requesting funding for to continue a historical survey of downtown Middleton, a project started and awarded HPC funding in FY2022.

Downtown Middleton Historical Survey, Phase II Total Request: \$5,000

- These applications meet the basic qualifications for the historic preservation levy.
- In 2013, the Historical Society of Middleton (HSM) was formed to create a Middleton history museum. Over the past seven years, they have accomplished this goal at a beginning level. With partial funding from grants awarded by the Canyon County HPC the museum building renovation is complete, historical information is on display, and the Museum is open to the public. The HSM is ready to expand their work further into the community and consider preserving other aspects of Middleton's past.
- Because Middleton is growing so quickly, new construction is proceeding rapidly. Sometimes that construction is on former agricultural land, and sometimes existing structures are demolished to make room for new construction. Each farm that is converted to homes masks Middleton's history of homesteading, and each building demolished destroys a piece of Middleton's past. Once these farms and structures are gone they are gone forever.
- The survey and preservation plan would allow for preservation planning including listings on the National Register of Historic Places for eligible properties which will aid in preserving pieces of Canyon County's unique history. The knowledge gained from this project will allow the HSM to answer the questions of their citizens, new and long-time, and create greater support for the preservation of these older buildings.

Melba Valley Historical Society

Requesting funding to repair and restore one of the old hotel rooms in the Museum.

Melba Valley Museum Hotel Room Repair and Restoration Total Request: \$7,960

- Built in 1919, with a 1922 addition, the structure served as a hotel/boarding house until 1927 when International Order of Odd Fellows Lodge #150 purchased the building and associated property.
- This is another staged improvement to this historic building that has received multiple successful past grant awards.
- This building is currently going through the process of getting listed on the National Register of Historic Places

Notus Historical Society

Requesting funding for Heat/AC unit for the Notus Museum.

Notus Museum Heat/AC Unit Total Request: \$6,000

- The Notus Museum does not currently have an A/C unit. Installing an A/c will help them extend their hours and make it possible to provide comfort to visitors and staff.
- They will be purchasing a ductless electrical unit that is the best fit and most cost-effective unit for the building. They consulted with multiple businesses to determine the best choice for the building.

The Historic Preservation Commission recommends funding \$50,456 to help with the five potential projects. The Board is in concurrence with what has been presented. The meeting concluded at 3:33 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ASSESSOR REGARDING VALUATIONS

The Board met today at 4:03 p.m. with the County Assessor regarding valuations. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Administrative Property Supervisor Greg Himes, COO Greg Rast, and Deputy Clerk Monica Reeves. Every year the Assessor's Office does an annual review to give the Board a market update on what the values are doing and today they gave a PowerPoint presentation titled Canyon County Value Review and Assessed Values, where the following slides/topics were reviewed:

- Ratio Study Average Annual Sale Price 10/01 through 9/30
- Canyon County AVERAGE Annual Single Family SALE PRICE *MLS* Data
- Graph showing October 2021 Median Assessed, and Median Sales Price from Med Ratio Calc.
- 2019-2023 Average Assessed Values
- 2018-2023 Average Assessed Value Comparison
- Canyon Median Sale Price as a % of Ada Median Sale Price *MLS* Data
- Canyon County Single Family Average Days on Market *MLS* Data
- New Subdivision Lots in Canyon County
- COD - Coefficient of Dispersion
- Contacts vs Appeals 2008 – 2022, and BOE Hearings 2008-2022

Following the presentation there was a question and answer session. Commissioner Van Beek left at 4:38 p.m. Board of Equalization begins on June 26, 2023 and runs through July 10, 2023. No Board decision was required or taken at today's discussion. The meeting concluded at 4:49 p.m. *At the conclusion of the meeting, it was discovered the recorder did not capture this discussion,*

therefore there an audio recording is not available. A copy of the PowerPoint presentation is on file with this day's minute entry.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 22, 2023

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- SBS Enterprises, LLC dba Valhalla Pub (resolution no. 23-168)

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Crisis Systems Management in the amount of \$2,875.00 for the Sheriff's Office
- Lafayette Instrument in the amount of \$7,500.00 for the Sheriff's Office

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE WEST VALLEY HUMANE SOCIETY

The Board met today at 9:03 a.m. for the FY2024 Preliminary Budget Workshop for the West Valley Humane Society. Present were: Commissioners Zach Brooks and Leslie Van Beek, WVHS Executive Director Jennifer Adkins, WVHS HR Director Kimberly Mink, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, Facilities Director Rick Britton, COO Greg Rast, and Deputy Clerk Monica Reeves. Commissioner Holton arrived at 9:12 a.m. The Board previously met with the WVHS on June 14 and requested additional budget information, and today Ms. Adkins and Ms. Mink provided expense and revenue reports. Currently they are upside down largely due to expenses that were charged this year when they should have been charged last year. In February of 2023 they changed accounting firms and are starting to address some of the issues from previous years. Last year they received some estate donations and so far, they have not received that same level of donations. There was discussion about how the organization generates revenue and whether they hold fundraising events. Currently they just do vaccines, spays/neuters, and microchips but they are looking at offering dental cleanings and minor wound care, but that would require the hiring of more veterinarians. They have a fundraising gala planned for October with a donation goal of \$100,000. They rely on grants and private donations. There are some community partnerships but those relationships have not been fostered, but they are trying to repair those relationships. Their total revenue for monetary donations was \$450,051.97. For FY2024 WVHS is requesting \$425,000 in County funding with \$350,000 paid directly to the shelter, and \$75,000 being held for the maintenance budget. They feel this is close to what they would have been getting had they received annual increases based on inflation since 2011. Director Britton said \$75,000 could be tight based on the projects he has for FY2024. The reroof project is close to \$60,000 and it would come out of the maintenance budget which would only leave \$15,000 for the rest of the year so he would like to keep it at \$100,000 for the maintenance

portion because there are so many unforeseen things that could come up. On the infrastructure side of things, the more we add the more it will cost. Commissioner Van Beek had questions about tracking the unspent fund balance and revenue. Commissioner Holton suggested the meeting be tabled to a later date and provide WVHS staff some of the criteria for the numbers the Board wants to see. Commissioner Van Beek agreed and said she would also like to look at the contract for the shelter. The Board would like the Controller to help with clarifying the numbers, and it will meet again in two weeks to review the numbers for calendar year 2022. No Board action was required or taken. The meeting concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

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

Note for the record: As properly noticed the Board met today at 9:38 a.m. for a legal staff update. A request was made to go into Executive Session to discuss a personnel matter, records exempt from public disclosure and attorney-client communication, and to communicate with the legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Brooks made a motion to go into Executive Session at 9:39 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f). The motion was seconded by Commissioner Van Beek and carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy PA Carl Ericson, Deputy PA Oscar Klaas, Deputy PA Zach Wesley, Director of Court Operations Jess Urresti, Eviction Mediation Services Coordinator Kevin Alvarez, and Deputy Clerk Monica Reeves who left once the session started. Mr. Alvarez left at 10:30 a.m. Controller Wagoner left at 11:00 a.m. Clerk Yamamoto and Mr. Urresti left at 11:06 a.m. The Executive Session concluded at 11:24 a.m. with no decision being called for in open session.

DISCUSSION REGARDING THE ANIMAL SHELTER FACILITY

The Board met today at 11:27 a.m. for a discussion regarding the animal shelter facility. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, COO Greg Rast, and Deputy Clerk Monica Reeves. Mr. Rast reviewed concerns that he and Director Britton have regarding the contract with the West Valley Humane Society:

- Does the Board want to charge the WVHS \$10 per month per phone at an approximate cost of \$1,200 per year? The County provides telephony, fax, internet, and infrastructure services because we own the facility and Mr. Rast wants to evaluate the chargebacks to see if it's currently being done.

- The lease states the lessee may retain and use the computers and printers on the premises owned by the lessor for operation of the shelter. Lessee is responsible for the cost of procuring and maintaining operating systems and software. Mr. Rast said that portion is unclear, he's never been part of that.
- There is a need to evaluate the language pertaining to the disposal of furniture, appliances or equipment.
- Mr. Rast wants to differentiate the cost of remodels and everything within the facility to know if that is a lessor or lessee expense because it's unclear about who is paying for what. For example, does WVHS replace the washer and dryer or does the County? They want the County to cover the cost of the infrastructure to put in the incinerator to do inhouse cremation. Is that the County's expense or their expense of doing business?

Mr. Rast said Legal should revamp the contract and make sure it's still applicable and match it with the practice and help the Facilities Director to know what is coming out of maintenance funds for the facility itself. Commissioner Brooks said it would make sense to remove the requirement for WVHS to pay for telephone, etc., and the County could reduce the payment by that amount. Mr. Rast said the County is not charging for internet and in his opinion, the telephone costs are minimal so he would like to see that number removed for the incidental charges. Deputy PA Wesley explained how the amounts were included in the contract. He will meet with Director Britton and Mr. Rast and see what they want removed. The WVHS has wanted things to be updated in the past and a lot of the changes made in the past 10 years have come from the WVHS, but we can get something to them before we finish the budget season so that it's lined out for the next fiscal year. The Board is in favor of cleaning up the contract. There was discussion regarding what the lease covers. If the WVHS wants to do something they need to figure out how to raise the funds and pay for it. Deputy PA Wesley gave the historical background on the shelter and the lease and how it was privatized. Commissioner Holton said he was concerned upon hearing WVHS wants to hire more veterinarians because he doesn't want to compete with private enterprise. He sees the logistics of having a crematorium to provide a service, but it has to be vetted. Deputy PA Wesley said the incinerator would be viewed under Paragraph 16 of the agreement so if they add it and pay for it, or the County adds it and pays for it, either way it becomes a part of the building and if they leave as the tenant it will remain a County asset. Deputy PA Wesley will work through the agreement with Mr. Rast and Director Britton. The meeting concluded at 11:43 a.m. An audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE SOLID WASTE DEPARTMENT

The Board met today at 1:33 p.m. for a FY2024 preliminary budget workshop for the Solid Waste Department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk

Chris Yamamoto, Controller Zach Wagoner, Accountant Sarah Winslow, Solid Waste Director David Loper, COO Greg Rast and Deputy Clerk Jenen Ross. Budget discussion items were as follows:

- No new positions are being requested FY2024
- Compensation: Director Loper wants to keep up with the cost of living index and doesn't want to lose ground with the compensation plan that's been in place the past couple years
- Capital assets: landfill expansion, gas pipe, one light truck, gas meter, scraper rebuild, asphalt hardscape (\$350K included in budget for this), HDP pipe welder – buy vs. renting
- Revenue: Landfill fees – budgeted \$7,665,000 in FY23 and Director Loper's proposal is to carry that same number into FY24. Recycling capital – budget \$75,000
- Interest on savings will be moved to \$300,000
- Equipment: budget \$235,000; however, the old scraper will be sold and Director Loper anticipates it could be sold for \$250,000 and would like to change the equipment line to \$250,000
- Brief review of overtime and part-time line
- Professional consultants: \$100,000
- Misc. professional services: \$1.6M - \$150K to Justice Fund for the SILD program and 20% of fees to be paid back to the general fund for services provided by the county
- Well monitoring: increased to \$40,000
- Household hazardous waste: increase to \$150,000 for FY24
- Condensate transport: new line item of \$10,000
- Landfill gas system supplies: new line item of \$2,000
- Small equipment: \$8000 for a lube trailer

The gas collection system will not be fully complete by September 30, 2023 so there will need something accounted for in FY24. Director Loper will need to evaluate the numbers to determine what will need to be accounted for in FY23 and FY24.

A copy of the budget documents that were reviewed are on file with this day's minutes. The meeting concluded at 2:20 p.m. and an audio recording is on file in the Commissioners' Office.

WORKSHOP WITH FIRE DISTRICTS

The Board met today at 2:33 p.m. for a workshop with the fire districts. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Deputy P.A. Zach Wesley, DSD Staff Sabrina Minshall, Devyn Krasowski, Tom Crosby, Dan Lister, State Fire Marshal Knute Sandahl, Nampa Fire Marshal Ron Johnson, Caldwell Fire Marshal Alan Perry, Middleton Star Fire Chief Greg Timinsky, Mark Wendelsdorf with Caldwell Rural Fire, Mike Webb with Melba Fire Department,

Lisa Richard with Caldwell Fire, Alan Mills, Spencer Kofoed, Other interested citizens and Deputy Clerk Jenen Ross.

Mr. Sandahl addressed the International Fire Code explaining that the state adopts the IFC which is the minimum standard. The code used to state that any home over 3600 sq. ft. had to have sprinklers, however the legislature has since removed that but left in that there needs to be a water supply. The issue the fire districts are facing is that when plats are approved there is nothing being said to the developer/home builder and without enforcement ability homeowners are given occupancy by the county. Other discussion topics were as follows:

- How fire district requirements are denoted on a plat
- Interpretation of codes/requirements
- What is included or excluded from the county code
- Applicability of the IFC – it is adopted and is a statewide minimum; counties and cities do not have to adopt it for it to be applicable in the state of Idaho. Cities and counties may choose to adopt it which is usually for the purpose of creating additional ordinances to be more restrictive. According the state constitution, cities and counties can't be less restrictive than what has been adopted by the state.
- Mr. Lister spoke to the planning aspect in regard to the fire code
- Roadway/driveway widths, lengths and regulations related to the fire code
- Water resources when water is not readily available at a fire
- Permissible options for water supply and perceived problems with residential sprinkler systems
- Water supply requirements
- Early and clear communication between DSD, the fire districts and developers/homeowners about expectations
- Challenges and solutions that can be worked thru by both DSD and the fire districts

A copy of the meeting outline and fire district map are on file with this day's minutes. The meeting concluded at 4:02 p.m. and an audio recording is on file in the Commissioners' Office.

BOCC BUDGET WORKSHOP

The Board met today at 4:18 p.m. for a budget workshop to discuss the consolidation of the Fleet budget; the consolidation of the Facilities budget; and the consolidation of levies. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Fleet Director Mark Tolman, Facilities Director Rick Britton, Fair Director Diana Sinner, Parks Director Nicki Schwend, and Deputy Clerk Monica Reeves.

Consolidation of Facilities

These are the funds around remodels, improvement projects, cabinetry, anything the Board has asked offices/departments to put in their budget. Facilities Director has the ability to track their efforts and manhours. There have been a lot of discussions about consolidating these monies into one centralized pot, and that's Facilities. Mr. Rast feels it's prudent to consolidate those funds related to capital projects in Facilities. Director Britton said combining all of the material projects together would allow him to purchase in bulk for a cost savings and less work for his staff. He will still itemize the cost for each project for individual departments/offices. Mr. Rast said he has found the inconsistency of the true cost of the department, for example, in Fleet there is a new HVAC system that's coming out of the Facilities; and in Juvenile Detention there glass, paint and locks that's in Facilities. There is inconsistency with where we are putting things in the budget, where centralizing keeps a standard of financial exercises when it comes to Facilities and what they support. Commissioner Brooks said this makes perfect sense, have the Facilities guy put it into his budget as he has the software and knowledge on how to track and manage it. Commissioner Van Beek agrees.

Consolidation of Fleet:

Mr. Rast said he has spoken with nearly every elected official and department administrator, and they recognize Director Tolman is the expert and they rely on him on for the expenditures. There are two parts to Fleet consolidation: vehicle assets and fuel chargebacks to all offices/departments. He recommends putting the vehicle asset portion under Fleet. With regard to fuel chargebacks to all offices/departments, Mr. Rast said the amount of staff time that Fleet and the Auditor's Office is burning up on claims on chargebacks is issue no 1, and issue no. 2 is fuel is double expensed and the consolidation will fix that. Director Tolman said the County is double expensing because it's in the Fleet budget as well as the other budgets. It's time-consuming to bill it monthly when it could be done on a quarterly basis. Currently, it is billed and a check is written and he retrieves the check to make sure it's in the books, and then he deposits the check. Instead, he could send a report. He has a fleet management system that works with the fuel system software to track fuel and generate reports which show the cost-per-mile for each vehicle, how much maintenance it's had, and how much fuel it's used. Mr. Rast said when it's placed in other budgets we are not capturing tires, maintenance, oil changes, upfitting, etc., and he said he raised this issue because the title of his position is *Chief Operating Officer*, and operationally, it doesn't make sense how we are currently doing things and the consolidation proposal makes sense. Commissioner Van Beek said she has lobbied for consolidation since taking office, and the cost savings should return to the Fleet budget but that is not currently happening.

There was discussion about tracking mileage; the costs of per diem mileage; insurance policy limits on personal vehicles; and whether it is less expensive to purchase a fleet vehicle rather than paying employees mileage. Commissioner Holton is in favor of consolidating the Fleet under Director Tolman, but he does not see directly addressing the per diem mileage issue. Director Tolman said mileage would have to be moved into one location too and it would have to be monitored. Commissioners Brooks and Van Beek are in favor of consolidation for the Fleet budget. Mr. Rast said maybe this next fiscal year we can pull the reports and the Board can either consolidate all of it under one line item in the Fleet budget so that all mileage reimbursements go to Fleet to run as a claim or rely on reports from the Auditor's Office back to Fleet to do the math.

There was discussion about employees taking fleet vehicles home on occasion rather than paying mileage reimbursement. Director Tolman said it's always better to use a County vehicle and we should not be paying mileage unless there is no County vehicle to use for any reason. He will request a monthly report from the Auditor's Office and see if there are gaps that can be filled. Commissioner Holton said he is okay with doing a transition year, but at the end of next year it should be in-house. He said the Board should be given a recommendation on whether it should do a transition year or do it now. Mr. Rast will work with Director Tolman and report back to the Board on the mileage reimbursement line item. There is Board consensus to consolidate the Fleet budget.

Consolidation of Levies

Mr. Rast said there was a recommendation from the Clerk and Controller based on the calculations of getting the tax notices out by consolidation of levies to go from 10 on the L-2 form down to 4. It would remove levies for County Weed, Assessor's Reappraisal, County Fair, Parks, Historical Society, and the Tort fund and consolidate into current expense. He's had conversations with each Commissioner about it and has brought it together with the full Board. The consolidation will impact the Fair and Parks, and even though the Treasurer doesn't have an opinion on this, he said she did say it makes her life easier on tax notice calculations, but she also sees the issues with removing the sideboards around the specified levy funds. Does the Board want to consolidate levies by putting the Fair into current expense, and Parks and Historical Society into current expense for FY2024? Neither Commissioner Brooks nor Commissioner Van Beek want to do that. Director Schwend said these are levies people have supported to say they want Parks and the Fair, and it's a way for the County to say these things are important. Compared to the support other cities and counties have, we have been low and it's time to look at trying to close the gap. Director Sinner said there is a funding mechanism in place, and it's been underutilized in the past and we were in a position having to invest a lot of money in the last six years because we did underutilize. We expect there to be a levy of trust that the Fair will continue to be funded through the general fund the way it is protected through the levy. Mr. Rast said he has spoken to the County Assessor, and he is opposed to consolidating/removing the Assessor's Reappraisal levy because if we have a bad financial year he still has to assess property and this levy can go towards not laying staff off when assessments are due. Commissioner Van Beek is not in favor of consolidating any of those levies. There is the potential for the Directors to augment services for the citizen base and become self-sustaining. Commissioner Holton said it will be scheduled as an action item and we will go from there. The meeting concluded at 5:00 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 23, 2023

No meetings were held this day.

APPROVED CLAIMS

- The Board has approved claims 595902 to 595947 in the amount of \$39,323.41
- The Board has approved claims 595868 to 595876 in the amount of \$3,946.00
- The Board has approved claims 596041 to 596042 in the amount of \$621.00
- The Board has approved claims 595772 to 595809 in the amount of \$51,065.81

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 26, 2023

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Cameron Willet, part-time Interpretive Specialist.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Precision Locker in the amount of \$1,271.05 for the Sheriff's Office
- Staples in the amount of \$3,311.00 for the Sheriff's Office
- Ogden Metro SWAT in the amount of \$1,100.00 for the Sheriff's Office
- Cloverdale Nursery in the amount of \$29,430.00 for the Facilities Department
- The Sign Shoppe in the amount of \$6,950.00 for the Facilities Department
- Prime Construction in the amount of \$13,770.00 for the Facilities Department

ACTION ITEM: CONSIDER SIGNING NOTICE OF SOLE SOURCE PROCUREMENT FOR FAIR EVENT PORTABLE FLOORING PURCHASE

The Board met today at 9:30 a.m. to consider signing a notice of sole source procurement for Fair event portable flooring purchase. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Oscar Klaas, Fair Director Diana Sinner, Facilities Director Rick Britton, COO Greg Rast, Clerk Chris Yamamoto, Senior Systems Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. Director Sinner said this is the flooring for Simplot Stadium and they have found a vendor that has specific flooring that will protect the turf but also allow for vehicle traffic required to place the infrastructure on the flooring for concerts. It needs to be a specific thickness to handle a load capacity of 50,000 lbs. per square foot to allow for a stage, tents, RV's, office trailer, artist's bus, and forklifts. The size is 4' x 4' which is important because they only have the

stadium for a limited amount of time, and they have to be able to put the flooring down in two days and that can be done with this size of flooring. Director Britton said it will be stored at the old fairgrounds under the awning. Deputy PA Klaas said the notice of sole source will state the County is moving based on the solicitation otherwise it would be impractical, disadvantageous, or unreasonable under the circumstances facing the County at this stage and for the reasons Director Sinner outlined he feels comfortable that there is not another project out there that's going to meet our needs if we want to bid. The directors have looked to see if there is another product available and have been unsuccessful in that search to find anything else. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the notice of sole source procurement for the Fair event portable flooring purchase. Deputy PA Klaas asked the Board for authority to give notice to the vendor that if we are following legal process required by Idaho law and if it works the way we intend it to work we are going to purchase the product. There is Board consensus to give him authorization for that. The notice will publish on June 29, 2023. The meeting concluded at 9:35 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEMS - ISSUE DECISION ON WHETHER TO CONSOLIDATE THE FLEET BUDGET, THE FACILITIES BUDGET, AND CONSOLIDATION OF LEVIES

The Board met today at 9:36 a.m. to issue a decision on whether to consolidate the Fleet budget, the Facilities budget, and consolidation of levies. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, Sr. Systems Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. Mr. Rast said there have been other meetings on this topic and discussions with directors and elected officials and now we're up to an action item for the Board to make a decision. Commissioner Van Beek said there have been a number of meetings that have taken place, some with just the Chief and a Commissioner with information being brought back. She is in favor as she stated at last Friday's meeting on consolidating the costs for the vehicles to the Fleet budget, and consolidating the costs for new construction, remodels, cabinetry, maintenance and repair on capital assets to the Facilities budget. She is opposed to the proposal to consolidate any of the levies as outlined. A number of those were submitted to the Board for consideration to remove the levy and include them under current expense. For transparency, tracking those costs and for planning into the future for the County it's important the levies remain in place as they have been historically. Commissioner Holton concurs with Commissioner Van Beek, but he cautioned the public to not read any negativity into this decision. The Clerk and the Auditor's system are doing an outstanding and this is just a Board that has a different viewpoint on how we collect that financial information and how we summarize that in our expenses and in our budgeting. Commissioner Brooks said his position has not changed from what he put on the record last Friday. Commissioner Holton said Controller Wagoner made his point of view about the consolidations of the levies and to be fair it has validity and going forward we will find out if the Board has made the right decision or if the Controller's suggestion had greater merit than what the Board understands. Commissioner Holton's opinion is our economy is tenuous and this will give clarity to the voters about continuing with all the separate levies compared to moving within one levy. Controller Wagoner said there was a period

in time when we did need all of those various funds to levy enough property tax, but we are nowhere near there now. If the Board is moving the gasoline budget out of DSD and into Fleet that means property taxpayers will be paying for gasoline instead using the fees collected by DSD. If gasoline is moved from the juvenile probation budget, property tax dollars will be used instead of being able to use the state cigarette tax money. The change in policy will impact local property taxpayers. Commissioner Brooks said from a policy standpoint the fuel cost being picked up by the cigarette and tax money is not necessarily the most appropriate way to be funding that department. The funding of vehicles, fuel and oil associated with those is a County obligation and the state monies coming into that department are meant for the actual operations of that department so this would change allow the director to hire someone or expand programs that she does not currently have to operate. Mr. Rast said Director Catalano said she believes the money should be for the programs and for a clinician and it's a better use of the state funds than funding a vehicle. Clerk Yamamoto believes this policy is growing government and laying more on the taxpayers, and it has not been vetted to the degree it should have and he strongly opposes this move. Commissioner Van Beek disagreed and said this Board is vested and understands its statutory obligations to meet the needs and services and with the addition of the Chief Operating Officer the Board has a very good working relationship in its departments and those budgets will be vetted and carefully evaluated. The Board has evaluated the information in a way that is thoughtful, analytical and in the best interest of the taxpayers. Commissioner Brooks said regarding the consolidation of the levies, he is uncomfortable making a decision with the level of information and knowledge he has on the subject so the easy out for him is to leave the status quo for another year and either get comfortable with the status quo or get comfortable making the change on the levies. Mr. Rast said Director Britton wants to leave the weed control levy as is until he knows more of what's going on that dept. Assessor Stender is strongly opposed to consolidating the Assessor's reappraisal into current expense because if there is a downturn he can use the fund balance, levy rates to continue reappraisal and assessment efforts. Director Sinner is strongly opposed because she wants to expand the Fair and if there are tough times she can cover that and know where those monies are coming from. Director Schwend is strongly opposed to consolidating the levies because she wants to be able to expand parks. Mr. Rast suggests the tort fund be left as is. Commissioner Holton spoke of his experience in the 1980's as a public official and as a private businessman and he has lived through the bad case scenario, and it makes him extremely cautious because the economy went upside down and most of the communities went to their maximum levy rate just to try to stay in existence. He understands what the Controller was presenting and the efficiencies, and if the economy was going up and America was happy he'd be more inclined to go that direction, but we are not there. He respects and trusts the Clerk's and the Controller's work but this is difference of philosophy. Commissioner Van Beek made a motion to support the consolidation of all vehicle purchases and related expenses to the Fleet budget, and to move all mileage reimbursement and cost analyses to the Fleet budget, allowing the Fleet Director to evaluate the viability of reimbursement which is a potential cost savings to vehicle acquisition and the purchase of all petroleum products falling under the purview of the Fleet Director. To consolidate all construction, remodel, maintenance, and cabinetry costs to the Facilities budget. She opposes the elimination of the County Fair levy, or any of the consolidated levies that were proposed, and she is opposed to the elimination of any levies and consolidation into the current expense fund. The motion was seconded by Brooks and

carried unanimously. The meeting concluded at 10:01 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER NEW ALCOHOLIC BEVERAGE LICENSE FOR AMERICAN LEGION JOSEPH H. MURRAY POST 18

The Board met today at 10:01 a.m. to consider a new alcoholic beverage license for Post No. 18 the American Legion dba American Legion Joseph H. Murray Post 18. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, and Deputy Clerk Monica Reeves. The license is for the sale of beer, wine, and liquor. Commissioner Van Beek had questions about the organization's need to sell hard liquor. Following discussion, Commissioner Brooks made a motion to approve the new alcoholic beverage license for American Legion Joseph H. Murray Post 18. The motion was seconded by Commissioner Holton. Commissioner Van Beek abstained from the vote. Of the two Commissioners who voted, the motion carried unanimously. (Resolution 23-169.) The meeting concluded at 10:06 a.m. An audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM
CALDWELL, IDAHO JUNE 27, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- RTS Tactical in the amount of \$5479.96 for the Sheriff's Office
- Action Target in the amount of \$3162.74 for the Sheriff's Office
- Trijicon in the amount of \$6694.00 for the Sheriff's Office
- Curtis Blueline in the amount of \$2985.60 for the Sheriff's Office
- TS Turf, Inc. in the amount of \$3000.00 for the Fair
- Consensus Docs in the amount of \$1,400.00 for the Prosecuting Attorney's Office

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Melicah Anderson, Customer Service Specialist; Tiffany Avila, Customer Service Specialist; Shonelle Dutcher - Sr. Finance Specialist - Booking 51005; and Carl Dille, Assistant Director.

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Raising Our Bar to be used 7/1/23, 7/2/23, 7/4/23, 7/7/23, 7/8/23, 7/9/23, 7/15/23, 7/22/23, 7/29/23

APPROVED THE FEBRUARY, MARCH AND APRIL TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of February, March and April were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

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

The Board met today at 9:33 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. Oscar Klaas, Director of Juvenile Detention Sean Brown (left at 9:38 a.m.), Fair Director Diana Sinner (left at 9:39 a.m.), Facilities Director Rick Britton, Cpt. Harold Patchett, Chief Deputy Sheriff Doug Hart, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Memorandum of Agreement with Idaho Department of Juvenile Corrections to Support Clinical Services in Juvenile Detention Facilities: Director Brown said that this is an agreement that has been in place for 15+ years. The clinician helps with crisis intervention, services once juveniles leave the facility and counseling within the facility. There are no major changes to the agreement from previous years. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Memorandum of Agreement with Idaho Department of Juvenile Corrections to Support Clinical Services in Juvenile Detention Facilities (see agreement no. 23-071).

Consider Entertainment Contract with Stephanie Sanchez of Flamencos United Inc. and Antonia Robles of Danza Azteca for the Canyon County Fair: Director Sinner explained both of these entertainers are part of the Latino Festival on Sunday of the Fair and that these are the standard entertainment contracts. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the entertainment contracts with Stephanie Sanchez of Flamencos United Inc. (see agreement no. 23-070) and Antonia Robles of Danza Azteca (see agreement no. 23-069) for the Canyon County Fair.

Consider Request for Qualifications and legal notice for Architecture/Engineering Services for the Canyon County Sheriff's Office Building Project; and Consider Request for Qualifications and legal notice for CM/GC Services for the Canyon County Sheriff's Office Building Project:

Director Britton explained the architectural portion will assist with the design of the building and Chief Hart provided additional details of the project including the size of the building and operations that will be included within the building such as an emergency operations center, training space, dispatch center, redesigned workflow arrangement and office space for some jail operations.

Commissioner Van Beek made a motion to sign the legal notices to request qualifications for both the Architecture/Engineering Services and CM/GC Services for the Canyon County Sheriff's Office Building project. The motion was seconded by Commissioner Holton and carried unanimously.

Commissioner Van Beek made a motion to sign the request for qualification for the CM/GC Services for the Canyon County Sheriff's Office Building Project. The motion was seconded by Commissioner Holton and carried unanimously.

Commissioner Van Beek made a motion to sign the request for qualifications for the Architecture/Engineering Services for the Canyon County Sheriff's Office Building Project. The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 9:59 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP IT DEPARTMENT

The Board met today at 11:01 a.m. for a FY2024 preliminary budget workshop for the IT department. Present were: Commissioners Leslie Van Beek and Brad Holton, Commissioner Zach Brooks arrived at 11:05 a.m., Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Sarah Winslow, COO Greg Rast, Business Manager Caiti Pendell, Operations Manager Jairo Rodriguez, Program Analyst II Rick Fisher, Network Administrator Curtis Long, Systems Administrator III Don Dutton, IT Business Analyst Steve Webb, HR Director Kate Rice (arrived at 11:05 a.m.) and Deputy Clerk Jenen Ross. Mr. Rast reviewed the following with the Board:

- Information Technology organization chart
 - 2 vacancies – IT Director/CIO and Development Manager
- Review of statistics including mailroom services, county printing volume by page, service desk tickets
- Growth of the IT Department staffing from FY2015 – FY2024
- 'A' budget – total request is \$3,943,690.00 this does not include any HR recommendations regarding the compensation program.
 - New/reclassified positions:
 - New Programmer Analyst II
 - Reclassification of a Programmer Analyst I to a Programmer Analyst II
 - Development Team Lead pay on a current Programmer Analyst II
 - New part-time position for Programmer Analyst
 - Increase to overtime/on-call
- Revenue is \$10,600 annually for website hosting, IT service rates and print services
- FY2023 IT efforts
 - Skype replacement project
 - Microsoft software assurance licensing
- 'B' budget – total request is \$1,884,530

- Service contracts: \$891,000 in order to stay current on licensing
- Professional consultants: \$48,500 for firewall redundancy, SHI multi-vendor support and Avaya support
- Misc. professional services: \$21,000 for Databank, ongoing annual expense for vendor support costs as needed and ESRI
- Telephone service: increased to \$36,000
- Internet: decreased to \$106,000
- Education and training: \$58,000 for the PMO, Operations, Business, Development and IT divisions
- Misc.: \$1000 for uniform shirts for the desktop support staff (at the recommendation of the Controller and Chairman the 'uniform' line item will be used instead of 'misc.')
- Printing supplies: \$14,000 due to increase need and cost for envelopes
- Computer equipment (577100): reduced to \$45,000, \$12,000 kept in this line item as a contingency in case of an accident or broken equipment
- Software: reduced to \$120,000
- Communications equipment (577138): reduced to \$60,500
- Computer/Networks/Software (680421): \$30,000 related to disaster recovery
- Computer/Networks/Software (684221): \$32,000 to add a new server blade
- Computer equipment (684240): \$195,000 for storage
- Communications equipment (684250): for fiber work to be completed

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

CONSIDER JUNE 27, 2023 ACTION ITEMS

The Board met today at 1:38 p.m. to consider the afternoon action items scheduled for June 27, 2023. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Office Manager Jennifer Almeida, Facilities Director Rick Britton, HR Director Kate Rice, HR Generalist Cindy Lorta, Chief Deputy Sheriff Doug Hart, Captain Harold Patchett, COO Greg Rast, and Deputy Clerk Monica Reeves. The action items were considered as follows:

- ***Resolution authorizing a refund to Cold Steel Properties, LLC for a withdrawn rezone application.*** Staff recommends a refund in the amount of \$807.50.
- ***Resolution authorizing a refund to Freedom Forever for a withdrawn building permit application.*** Staff recommends a refund in the amount of \$408.00
- ***Resolution authorizing a refund to Ronald & Lucy Cammack for a withdrawn conditional rezone application.*** Staff recommends a refund in the amount of \$1,190.

- ***Resolution authorizing a refund to Jake Telford for a withdrawn conditional use permit.*** Staff recommends a refund in the amount of \$712.50.

Following Ms. Almeida's report on the refund requests, Commissioner Van Beek made a motion to issue refunds as presented by staff. The motion was seconded by Commissioner Brooks and carried unanimously. (Resolution Nos. 23-170, 23-171, 23-172, and 23-173.)

- ***Resolution approving the change in job title, description, and salary range of one position in the Sheriff's Office - Senior Customer Service Specialist to a Senior Finance Specialist*** - Chief Hart said in looking at their support staff positions they found a few that were incorrectly classified, and today's position is one of those. The person who is a CSS has 30 years of finance experience and in a previous job she was the treasurer for a county in Oregon and rather than acting as a CSS her job in the jail involves 100% of her time on financial transactions with commissary, billing, etc. Her job title should be reclassified to a senior finance specialist and he proposes she begin at the bottom range of the salary wage grade of \$50,960. Commissioner Brooks asked if this falls under the compensation plan that was approved last fall? Chief Hart said the plan approved last fall is only for commissioned deputies and it does not impact any of their nonsworn employees. These four positions are outside of that other wage and compensation package that was approved in December of 2022. Commissioner Brooks asked if the four positions will receive an adjustment as part of what the County may approve going forward? Chief Hart said the adjustments they've made are within the proposed wage grades that HR is suggesting, and if new wages are calculated for the other positions throughout the County these fall within what's being considered and so these changes would stay static, there wouldn't be another adjustment if there are future adjustments made to the County positions. They have been very careful to look at the proposed wage grades to accurately reflect these requests within those wage grades and for the positions. Commissioner Van Beek said she had a conversation earlier with the Chief on the overall compensation ensuring that the County does not exceed the allotted wage that was approved, the salary and benefits for FY2022. COO Rast said overall the "A" Budget looks healthy and he feels comfortable with the Sheriff's request. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the Senior Finance Specialist PCN change as presented by the Sheriff's Office which includes a wage adjustment. (Resolution No. 23-174.) An employee status change form was approved today for the person in that position.
- ***Consider adopting changes to the job title and job description of two positions in the Facilities department, and one position in the Weed and Pest department:***

Director Britton and Director Rice offered comments in support of the personnel changes, and Board discussion ensued. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the job title change recognizing there is no fiscal impact, and to approve the new job description that delineates those responsibilities for the Director:

One (1) Director of Facilities and Maintenance, salary range 17 (min \$97,760 to max \$134,908), position control number 14 226 564, FLSA status Exempt.

To

One (1) Director of Facilities and Weed and Pest, salary range 17 (min \$97,760 to max \$134,908), position control number 14 226 564, FLSA status Exempt. (Resolution No. 23-175)

Director Britton and Director Rice offered comments in support of the personnel changes noting the change is due to the added tasks of Director Britton taking over the Weed and Pest Control Department. The person who will fill the assistant director position has been with the County for nine years. Board discussion ensued. Director Britton has funds in his budget to cover the associated salary increase. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adopt the changes to the job title, job description for PCN 058 for an Assistant Director of Facilities:

One (1) Maintenance Superintendent, salary range 15 (min. \$70,720 to max. \$97,593), position control number 14 226 058, FLSA status Exempt, current salary \$64,131.08 per year.

To

One (1) Assistant Director of Facilities, salary range 15 (min. \$70,720 to max \$97,593), position control number 14 226 058, FLSA status Exempt, proposed increase of \$10,868.92 per year to \$75,000.00 per year.* (Resolution No. 23-176) *Commissioner Van Beek made a motion to approve the salary adjustment of \$10,868.92 for the position. The motion was seconded by Commissioner Brooks and carried unanimously. An employee status change form will be submitted for approval.

Director Britton and Director Rice offered comments in support of the personnel changes. The salary range will be decreased for this position due to a change in responsibilities. Board discussion ensued. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the changes to the **job title, job description, salary range and FLSA status** for:

One (1) Weed and Gopher Control Superintendent, salary range 15 (min \$70,720 to max \$97,593), position control number 35 275 581, FLSA status Exempt.

To

One (1) Weed and Pest Superintendent, salary range 13 (min \$50,960 to max \$70,324), position control number 35 275 581, FLSA status Non-Exempt. (Resolution No. 23-177.)

The meeting concluded at 2:20 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH THE CANYON HIGHWAY DISTRICT #4 TO DISCUSS THE JOINT OWNERSHIP AGREEMENT FOR PROPERTY LOCATED AT 15435 HIGHWAY 44 IN CALDWELL, IDAHO

The Board met today at 2:23 p.m. for a meeting with the Director of Canyon Highway District #4 to discuss the joint ownership agreement for property located at 15435 Highway 44 in Caldwell, Idaho. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Bruce Bayne Director of Canyon Highway District, COO Greg Rast, Facilities Director Rick Britton, and Deputy Clerk Monica Reeves. Director Bayne informed the Board of several building additions the district is proposing to the jointly owned property the district shares with the County:

- Common wellhouse - The exterior of the building has already been re-cladded and painted.
- Salt Shed addition - CHD4 has already purchased a new salt shed and it will be erected on CHD4 solely owned property next month.
- Truck Barn Addition - They currently have 14 stalls and they plan to enclose four of the stalls to be able to add heat to the space for fall, winter and spring storage of equipment such as water trucks and other things that contain fluid. One bay will be dedicated to pipe and bridge work materials. It is on the jointly owned property.
- Office Addition - CHD4 plans to add 1,100 square feet onto their existing office space. There will be 1,100 sq ft on the main floor and 1,100 sq ft. on the 2nd floor. The truck barn addition and the office addition are located on the jointly owned property that they need the County's approval on.
- Addressing - Currently both Canyon County Weed and Pest Control and CHD4 share the same address and the district is going to drop the word *Canyon* from its name because a lot of people think CHD4 covers all of Canyon County and staff receives calls for other road/highway agencies within the County. He may propose a second address for the district to help with package delivery issues.

Director Britton said the County has a doublewide facility, and a shop with bays and a chemical room on the property and he would like to look at enclosing the bays at some point so the equipment will not freeze at night. He has a good partnership with CHD4 and looks forward to working together. Director Bayne said enforcement issues and complaints about speeding have increased significantly so they want to start a discussion with the Sheriff about paying for the wage/partial wage for an officer to help with traffic enforcement. Commissioner Van Beek asked if there has been any progress on the traffic study around the Lake Lowell area. Director Bayne said they have counters on Orchard Avenue, and they reduced the speed in a mile section, it's an area that has enunciators so you can see what your speed is. Director Bayne said section 10.1.1. of the joint ownership agreement requires they give 90 days' notice prior to commencement of development, and the district has bought the salt shed so they are moving ahead, and it will be

started next month. On the truck addition he hopes to start that in 30-45 days. He asked if the Board would give relaxation on the 90 days' notice requirement. The Board had follow-up questions for Director Bayne and following discussion it gave its concurrence for the highway district to proceed with the plans reviewed today and for the district to proceed with its plans. The meeting concluded at 2:45 p.m. An audio recording is on file in the Commissioners' Office.

FY2024 PRELIMINARY BUDGET WORKSHOP FOR THE TRIAL COURT ADMINISTRATOR

The Board met today at 2:51 p.m. for the FY2024 preliminary budget workshop for the Trial Court Administrator. Present were: Commissioners Brad Holton, Zach Brooks, Leslie Van Beek, TCA Jamie Robb, Administrative District Judge Davis VanderVelde, Assistant TCA Benita Miller, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, COO Greg Rast, other interested persons, and Deputy Clerk Monica Reeves. TCA Robb gave a PowerPoint presentation with budget highlights as follows:

Court Device:

Revenues: \$21,860

Expenditures are based off of what they have been spending. The fund balance is more than what is in the budget although it's not used a lot, but she has let the public defender and judges know there is money available. The ADJ believes there may be an increase in the fund use based on paying for GPS monitoring.

Court Facilities:

FY2023 projects: The Marshals office was remodeled; a new court assistance office was constructed; the TCA office suite was remodeled which allowed for five offices, a front office area and a conference room; a staff attorney office on the 3rd floor is pending but it may have to be pushed to FY2024. Revenue was based on tentative FY2023 numbers and a 3-year average within the expenditures. She added funding in case they need to push the staff attorney remodel to FY2024. Courtroom #15 needs remodeled, and she hopes to start refreshing the jury room.

Controller Wagoner asked if the Board wants the expenditures moved to the Facilities budget for FY2024 rather than coming from the restricted state pool? If it's shifted to the Facilities budget property taxpayers would pay for it, because it's in a separate court facilities fund there is no property tax that goes into that fund. Commissioner Van Beek said it would have to work in a way that Director Britton would be able to access the line. COO Rast said this one should not be moved to the Facilities budget.

Family Court Services:

Expenses have been reduced by 40%; the Family Court Services Manager has expanded online accessibility; started a quarterly newsletter; TCA Robb has restructured the organization chart which put the guardianship/conservatorship monitor under family court services which is in line with what a majority of the rest of the state does; updated court forms; consolidated websites so they are no longer paying for two sites; the manager is planning for Adoption Day and updated resources and made them all electronic.

Balanced the budget based off projected revenues. It was an average based off of projected revenue for FY2023. The budget includes expenses to send one judge to the Association of Family and Conciliation Courts Conference.

District Court:

Reviewed highlights for the Marshal Department, the Jury Department, the Court Assistance Office, and Trial Court Administration.

- Revenue is based on tentative FY2023 numbers and 3-year average
- Requesting to utilize jury fee revenue lien item to track donated jury fees
- CAO and Interpreter revenue from Idaho Supreme Court
- Other agency reimbursement decrease due to increase in revenue from Idaho Supreme Court
- Still asking for current part-time employees to continue in FY2024 (Requires a dollar amount)
- Requesting a fulltime jury clerk position
- Requesting a part-time CAO administrative assistant
- Requesting increase in hourly wage for part-time marshals
- Requesting increase in salary for one staff attorney, one marshal, and the jury commissioner
- Reduced cell phone expenses based on reevaluating who gets stipend
- Postage can be reevaluated for FY2025
- Requesting separate line item for jury food
- Requesting funds for CPR certification, department training, and CPM program
- Requesting funds NACM & court security training
- Requesting employee appreciation funds

There was discussion regarding the revenue from the Supreme Court. Of the \$70,000, only a portion of that was coming to Canyon County with the other portion being left at the administrative office of the courts. TCA Robb asked to bring it all here and delegate the amounts to the other counties and have it be coordinated through the TCA office as opposed to leaving money at the Supreme Court and having them coordinate interpreters.

Interpreter fees budgeted at \$90,000 (which leaves \$52,000 for the other 5 counties). Controller Wagoner said the expenditures are coming from the Clerk's portion of the District Court fund budget and he is concerned we are budgeting for the contract services twice with this proposal. He prefers to keep the structure we have been operating under. He requests the \$90,000 be removed from this line because it's already budgeted in the Clerk's portion of the district court fund no. 10407336. It is budgeted twice and only expensed once. Discussion ensued. Benita Miller said they receive \$142,800 from the state for interpreters. Controller Wagoner said it does not fully cover the entire cost for providing interpreter services. The \$90,000 in this budget is a change, and it's currently being expended from a different budget, the Clerk's budget and it's specific to Canyon County interpreting events. His recommendation is to zero out the \$90,000 line item and leave it in the Court Clerk budget for Canyon County interpreting, and leave the \$52,000 for interpreting for other counties in the TCA budget.

(Mr. Rast left at 3:19 p.m.)

TCA Robb is not comfortable with that and feels it's not appropriate to move the money from her budget because she should have access and control over the money the Idaho Supreme Court sends. There was further discussion regarding the expensing and coding of claims for interpreter fees, and the history of interpreting services in Canyon County. Commissioner Van Beek would like more information on this topic.

There was discussion regarding the personnel requests and the need for specific dollar amounts to be entered on personnel requests; cell phone usage and stipends for marshals; training; and employee appreciation.

Treatment Courts:

Reviewed the highlights of Mental Health Court, Drug Court, DUI Court, Veterans Treatment Court, and Juvenile Drug Court.

- Increased coordination revenue from Idaho Supreme Court
- Increased testing funds from the Idaho Supreme Court
- Fee Revenues based on FY2023 projections and 3-year averages
- Requesting a new line item for incentives for participants
- Includes funds to send staff to NADCP conference

Controller Wagoner said the treatment courts are funded by fees and state monies and they pay mileage, and he asked if the Board wants the mileage moved out of this budget to the Fleet budget given yesterday's direction that all mileage is to be moved to Fleet, with the exception the landfill. Commissioner Van Beek said Chief Rast said the exception would be where those sources are from the enterprise fund or state-funded court programs. The Board will have to look at that. Commissioner Holton said it should be left in the treatment courts fund as mileage. Controller Wagoner said the only exception he recalled to the Board's directive yesterday was the landfill enterprise fund so maybe there needs to be more conversation about exceptions.

TCA Robb is asking for a new line item for incentives for participants. Currently, it comes from the substance abuse evaluations line item, which is confusing.

Controller Wagoner said the fund balance for treatment courts as of September 30, 2022 is \$400,000 and a few years ago it was approaching \$0. TCA Robb said the treatment court coordinators are exceptional and we are very lucky to have them. Commissioner Holton said the Board will review the numbers and a follow-up meeting may be required. ADJ VanderVelde asked if the Board would like to set a meeting regarding the panic button issue. Commissioner Holton would like to schedule the meeting when Greg Rast is back in the office. The meeting concluded at 4:26 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM
CALDWELL, IDAHO JUNE 28, 2023

No meetings were held this day.

APPROVED PAYROLL JUNE 30, 2023

The Board approved the June 30, 2023 payroll in the amount of \$2,401,451.25.

APPROVED CLAIMS

- The Board has approved claims 595994 to 596040 in the amount of \$230,346.39
- The Board has approved claims 596043 to 596082 in the amount of \$69,517.83
- The Board has approved claims 596083 to 596111 in the amount of \$67,939.01
- The Board has approved claims 596112 to 596129 in the amount of \$27,395.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Coverdale Nursery in the amount of \$29,430.00 for the Facilities department
- Western State Meridian in the amount of \$1,131,000 for the Solid Waste department
- Wilbur-Ellis Company in the amount of \$1425.60 for the Facilities department

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for County Line Wine Co. to be used 7/8/23, 7/15/23, 7/29/23.

JUNE 2023 TERM

CALDWELL, IDAHO JUNE 29, 2023

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for William “Eric” Jensen, Assistant IT Director.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ODIN Works in the amount of \$77,505 for the Sheriff’s Office (PO #5674)
- Salt Lake Wholesale in the amount of \$40,542.75 for the Sheriff’s Office (PO #5675)
- Global Industrial in the amount of \$4627.48 for the Sheriff’s Office (PO #5673)
- I. Miller Precision Optical Instruments, Inc. in the amount of \$3750.00 for the Sheriff’s Office (PO #5467)
- Dell in the amount of \$32,810.87 for the Information Technology department (PO #5645)
- Apple in the amount of \$2299.00 for the Information Technology department (PO #5646)
- HB Sprague, LLC in the amount of \$2813.52 for the Prosecuting Attorney’s Office (PO #5693)

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 9:01 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Managers Kellie George and Jenniffer Odom and Deputy Clerk Jenen Ross.

Case no. 2023-67: An application has been submitted by the funeral home as they have been unable to work with the family of the decedent for payment, however Indigent Services has identified assets in excess of \$1000. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue an initial denial on the case.

Commissioner Van Beek made a motion to approve the lien releases for case nos. 2019-444 and 2022-127. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 9:04 a.m. and an audio recording is on file in the Commissioners’ Office.

MEETING TO CONSIDER AGENDA ITEMS

The Board met today at 9:34 a.m. to consider agenda items. Present were: Chief Deputy P.A. Carl Ericson, DSD Planning Official Dan Lister (left at 9:53 a.m.), DSD Planner Deb Root (left at 9:53 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Meeting with Development Services Department to consider request by Treasure Valley Planning Idaho, LLC, representing Chris and Mary Jagers, for a combined application and fee reduction

- *Consider request to process Case Nos. RZ2023-0003, SD2023-0012, and SD2023-0013 as a combined application. The request includes fee reduction to be determined by staff based on estimated savings. The request is for Parcel No. R37468012A and R37468012A1 located at 25744 Kingsbury Road, Middleton:* Mr. Lister spoke about a memo that was provided to staff which outlines the background of the request. The applicant is asking for a combined application and reduction of fees. The original memo provided to the Board was revised after an email was received from the applicant indicating that that it contained too much information about the application so some of the information was removed. Mr. Lister explained that based on the analysis and code staff is still recommending denial of the request based on exhibit C of the packet which was from the DSD workshop where combined applications were discussed. DSD would like the ability to make the final determination as to whether an application should be combined or not. However, if the Board were to choose to grant the request the savings would be \$587.50 assuming only 2 hearings vs. 4 but this doesn't account for tabled or continued hearings. Staff is concerned that the plat review is longer than the rezone; if the rezone is ready to go they would like to be able to take that to hearing without the plat. Additionally, if after reviewing all the findings if one can't be met it is inefficient for them to be looking at a plat when the rezone may not go thru. Discussion ensued regarding the history of how this parcel was split and the process for these kinds of requests to be made. Commissioner Van Beek made a motion to deny the request to process a joint application in case no. RZ2023-0003, SD2023-0012 and SD2023-0013 as a combined application as it does not meet the DSD staff standard for a combined application in several shortfalls. Commissioner Brooks added that it does not qualify under the ordinance. Commissioner Van Beek noted that she accepts the amendment to the motion. Commissioner Brooks then seconded the motion which carried unanimously.

Meeting with Development Services Department regarding request for a Confined Animal Feeding Operation (CAFO) Siting Advisory Team - AK Feeders, CU2022-0036

Consider resolution requesting the Dept of Agriculture form a CAFO siting advisory team to view property located at 21696 Stateline Road in Wilder, Idaho: Deb Root explained they are requesting the Board sign a resolution requesting the sending of a letter to the Department of Ag for the formation of a siting team for a confined animal feeding operation permit at Peckham Rd. on the border between Idaho and Oregon. This is the standard process required by Chapter 8, CAFO Ordinance and the applicant has met the minimum requirements of the application to request a siting team be formed. The original request was for a 6000 head feeding operation but the request has since been reduced to 3700 animals at this location. Ms. Root explained the primary task of the siting committee is to ensure that the proposed facility will not contaminate the water sources, that they are guarded and that the proposed facility meets the requirements of the Department of Agriculture, DEQ and EPA; those are the primary members of the siting team although staff can request to be included in the review process. Commissioner Brooks made a motion to approve and sign the resolution requesting the Department of Agriculture for a CAFO

siting advisory team to view property located at 21696 Stateline Road in Wilder, ID. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution no. 23-178.

Commissioner Brooks made a motion to recess until 10:30. The motion was then withdrawn by Commissioner Brooks as the legal team has requested an executive session.

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 9:55 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, Chief Deputy P.A. Carl Ericson. The Executive Session concluded at 10:12 a.m. with no decision being called for in open session.

The meeting concluded at 10:12 a.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR THE URBAN RENEWAL AGENCY OF THE CITY OF CALDWELL

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:31 a.m. to conduct a tax assessment protest hearing, pursuant to Idaho Code, Section 50-2014, regarding Protest No. 23026 (PIN 04638000 0); Protest No. 23027 (PIN 04694000 0); Protest No. 23028 (PIN 04655000 0); Protest No. 23029 (PIN 04654000 0); Protest No. 23030 (PIN 04591000 0); Protest No. 23031 (04637000 0); Protest No. 23032 (PIN 04551000 0); Protest No. 23033 (04552000 0); and Protest No. 23101 (04636000 0). Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Attorney Doug Waterman, City of Caldwell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Assessor's Office Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Chief Civil Deputy PA Carl Ericson, Assessor's employees, and Deputy Clerk Monica Reeves. Doug Waterman, attorney for the City of Caldwell and the Caldwell Urban Renewal Agency, offered testimony in support of the protest applications. The Agency applied for exemptions for the properties and those applications were denied because the revenue allocation area had expired. He said the properties owned by the Agency are exempt even if the revenue allocation area has expired, pursuant to Idaho Code, Section 50-2014. Additionally, there is a constitutional provision that exempts certain property, including municipal corporations. (The Agency's letter which gives an analysis on case law is on file with this day's minute entry.) The Agency requested the appeal on each case be granted and

that the exemptions be acknowledged on their properties. They submitted an appeal, Protest No. 23101, for property located at 213 S. Kimball Ave., (Parcel 04636000 0). An original application was not filed for this property because the property was leased to a private person and it did not qualify for the exemption and so at an administrative level the Agency was told it could not submit an application for exemption. The reason Mr. Waterman added the property today is because of the constitutional argument he mentioned where the concern is the agency may be prohibited from paying property tax on the property and so he wanted to get it in the mix to try to head off additional conflict down the road. Assessor Stender testified that when the Board considered the exemption applications his employees were not objecting to the applications, they believed the following properties should be exempt:

217 S. Kimball Avenue, Parcel 04638000 0
306 S. Kimball Avenue, Parcel 04694000 0
0 Arthur Street, Parcel 04655000 0
510 Arthur Street, Parcel 04654000 0
119 S. Kimball Ave., Parcel 04591000 0
215 S. Kimball Ave., Parcel 04637000 0
516 Main St., Parcel 04551000 0
0 Main St., Parcel 04552000 0

However, the Assessor's Office has a different opinion on Protest No. 23101 for property located at 213 S. Kimball Avenue. Jennifer Loutzenhiser said the Assessor's Office has an email thread of the list of properties the applications were requested on, and all the applications were provided. An application was never requested for the property located at 213 S. Kimball Avenue. It is not the Assessor's policy to deny someone an application. Joe Cox said it's been their longstanding policy to never deny someone an application, but staff may offer comments on why they feel the application may not be approved by laying out the facts of how the Board has historically made its decisions, but the Assessor's Office would not deny someone an application. Assessor Stender referenced an updated aerial photo showing the building was there in 2023, and how spoke of the building being leased from January to February 2023. Idaho Code, Section 50-2014 talks about exemptions terminating when the agency sells, leases, or otherwise disposes of the property. The building was leased so as of the first of the year it was not eligible for an exemption. A demo permit was obtained on May 8, and recent photos show the building has been knocked down. The Board had follow-up questions, and there were follow-up statements and questions from Mr. Waterman regarding the leased property and ownership issues. Further discussion ensued which included the topic of proration. Mr. Waterman said the properties downtown are dilapidated and have not redeveloped and so the proceeds of a sale are often based upon a reuse appraisal which takes into account rehabilitation that is required. The revenue generated by sales of property in the Agency is not the same as revenue generated if they were on the market and bare pieces of ground. It's demonstrative of the fact that it's different because they haven't sold - they have been sitting dilapidated and vacant. He said this very narrow question of whether the termination of a revenue allocation area causes a loss of exemption. Commissioner Van Beek made a motion to approve the tax exemption for the eight (8) parcels under Idaho Code, Section 50-2014, which is an agreed upon decision by Attorney Doug Waterman and Assessor Stender, and to have an

opportunity to discuss the appeal for Protest No. 23101, PIN 04636000 0. The motion was seconded by Commissioner Brooks and carried unanimously. Assessor Stender asked the Board to table Protest No. 23101 to this afternoon. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to continue the matter to 3:00 p.m. this afternoon to allow time for the Assessor time to work with the applicant on the property located at 213 S. Kimball Avenue, PIN 04636000 0. The approval is for the following parcels: 04638000 0, 04694000 0, Parcel 04655000 0, Parcel 04654000 0, 04591000 0, 04637000 0, Parcel 04551000 0, and 04552000 0. The meeting concluded at 11:26 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION - TAX ASSESSMENT PROTEST HEARING FOR THE URBAN RENEWAL AGENCY OF THE CITY OF CALDWELL (PROTEST NO. 23101)

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:00 p.m. for a continued hearing for the tax assessment protest hearing for the Urban Renewal Agency of the City of Caldwell, pertaining to Protest No. 23101 (PIN 04636000 0). Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Assessor's Office Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Attorney Doug Waterman, Assessor's staff members, and Deputy Clerk Monica Reeves. Assessor Stender said he thought they could come to an agreement quickly, but it is going to take more time than we have in the BOE session and so his recommendation is to uphold the value on Protest No. 23101 so that research can be done and they can come up with something if the matter is taken to the Board of Tax Appeals. Doug Waterman said he had a productive conversation with the Assessor's Office and it's true this case is different and that an application was not submitted, and it's true that this property had a lease where the other properties did not, and there are components that distinguish it from the other eight properties, but he is not going to request the Board deny the application. The Agency's request to grant the exemption persists. In the event the application is denied today there will be an opportunity for the Agency to make a determination on whether it wants to pursue an appeal or not. Officially, their request to grant the exemption persists. Assessor Stender briefly outlined the appeal process. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to deny the application and let the applicant move to the Board of Tax Appeals unless they are able to settle before that time. (The Assessor's value was upheld.) The hearing concluded at 3:09 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2023 TERM
CALDWELL, IDAHO JUNE 30, 2023

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change forms for Lucy Monroe, Permit Technician; Jessica Ishida-Sanchez, Division Supervisor; Misty Mitchell, Customer Service Specialist; Mikaela Watkins, Customer Service Specialist.

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Palace Event Center to be used 7/8/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Salt Lake Wholesale in the amount of \$4599.25 for the Sheriff's Office (PO #5677)
- Salt Lake Wholesale in the amount of \$6943.95 for the Sheriff's Office (PO #5678)
- Ultimate Training Munitions in the amount of \$38,233.58 for the Sheriff's Office (PO #5680)
- Salt Lake Wholesale in the amount of \$10,119.00 for the Sheriff's Office (PO #5683)
- Miwall Corp. in the amount of \$1300.00 for the Sheriff's Office (PO #5682)
- Breaching Technologies Inc. in the amount of \$1063.26 for the Sheriff's Office (PO #5681)

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:04 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy PA. Oscar Klaas (left at 9:07 a.m.), EOM Christine Wendelsdorf (left at 9:07 a.m.), HR Director Kate Rice, HR Generalist Jennifer Allen, Director of Juvenile Probation Elda Catalano, Assistant Director of Juvenile Probation Jose Orozco and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Supplemental Services Addendum for Forensic Logic for COPLINK Data Integration Maintenance: This contract has been reviewed by legal and there are no issues. Ms. Wendelsdorf gave a background on COPLINK stating that it is for the sharing of confidential information amongst law enforcement. This is the annual renewal which is paid from the SHSP grant; the cost this year is \$9335 which is a slight increase from last year. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the supplemental service addendum for forensic logic for COPLINK Data Integration (see agreement no. 23-072).

Consider resolution adopting changes to the job title of one (1) position; the job title, job description and salary range of one (1) position and the job title and job description of sixteen (16) positions in Juvenile Probation: Commissioner Van Beek stated that prior to the start of the meeting she had a conversation with HR staff and would like additional information pertaining to this resolution. Discussion ensued regarding the tracking and underfilling of reused Position Control Numbers (PCNs). No action was taken on this item and a motion was made by Commissioner Van Beek to continue this action to 11:00 a.m. today. The motion was seconded by Commissioner Brooks and carried unanimously.

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

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR CHICK-FIL-A, INC. (PROTEST NO. 23081)

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:30 a.m. to conduct a property tax assessment protest hearing for Chick-Fil-A, Inc., Account No. 30971102 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Appraisal Supervisor Greg Himes, Appraiser Darryl Spieser, Commercial Supervisor Mike Cowan, and Deputy Clerk Monica Reeves. The applicant did not appear for the hearing but they have been communication with the Assessor's Office. Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR SYMMS FRUIT RANCH, INC., AND MOUNTAIN VIEW COLD, LLC (PROTEST NOS. 23072, 23073, AND 23074)

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:35 a.m. to conduct a property tax assessment protest hearing for Symms Fruit Ranch, Inc., and Mountain View Cold, LLC, Protest No. 23072 (PIN 33480000 0), Protest No. 23073 (PIN 33563000 0); and Protest No. 23074 (PIN 33304010 0). Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Dar Symms, the President of Symms and Member of Mountain View Cold, Appraisal Supervisor Greg Himes, Appraiser Darryl Spieser, Commercial Supervisor Mike Cowan, and Deputy Clerk Monica Reeves. Dar Symms offered testimony in favor of the three protest applications. He requested a decrease in value from \$5,399,000 to \$4,788,300 (Account 33480000 0); a decrease in value from \$1,539,450 to \$1,425,050 (Account No. 33563000 0); and a decrease in value from \$803,430 to \$674,216 (Account No. 33304010 0). Greg Himes, Darryl Spieser and Mike Cowan, offered testimony on behalf of the Assessor's Office. Following testimony, rebuttal, and Board discussion, Commissioner Van Beek said she believes an adjustment is merited because there has not been a deep dive on the look at the "like-to-like". Rural access in an industrial portion in Caldwell is very different than rural access that is not located next to rail, and they are in a very unique market that is highly competitive with factors that are different influencers. She supports an adjustment or additional information and evaluation of the information that Mr. Symms has brought forward on the improvements to the property. Commissioner Brooks agrees that the buildings are different and that Mr. Symms has quality buildings, but he doesn't want to make a comparison on that until the Assessor has a chance to review the information Mr. Symms provided. The Assessor's Office had follow-up testimony on the comps and said there is an adjustment that's warranted for the rural setting for where this is at comparable to those in Nampa and Caldwell, and it's been addressed in the past and has carried forward with the current assessment. Commissioner Holton is curious to know what others think about asking the Assessor to look at the like comps in the area since this is a vanishing industry

and report back in a follow-up meeting. He is concerned about an industry that is barely hanging on and there still are a few structures within the same geographical area and Mr. Symms creates a question of whether we have considered all the factors and the Assessor is saying it's not fair to address that off the cuff so his compromise to ask them to research the older packing sheds and come back with their appraisal in relationship to trying to be a presumed fair market value. He is concerned about having like information about an agricultural use when the future is uncertain. Commissioners Van Beek and Brooks agree that a deep dive by the Assessor is warranted. Greg Himes said it would be worthwhile for the Assessor to take another look. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to the morning of July 7, 2023. The hearing concluded at 10:24 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUED MEETING TO CONSIDER AN ACTION ITEM

The Board met today at 11:03 a.m. to consider a continued action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Juvenile Probation Elda Catalano and Deputy Clerk Jenen Ross. The Board would like COO Rast to have an opportunity assist with the revisions necessary for the resolution adopting changes to the job title of one (1) position; the job title, job description and salary range of one (1) position and the job title and job description of sixteen (16) positions in Juvenile Probation. Commissioner Van Beek made a motion to vacate this item today and continued it to a later date and time. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 11:04 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING CANYON COUNTY AGREEMENT FOR FAIR EVENT CENTER FENCE PROJECT WITH MERIDIAN FENCE

The Board met today at 11:41 a.m. to consider signing Canyon County agreement for Fair Event Center Fence project with Meridian Fence. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Facilities Director Rick Britton and Deputy Clerk Jenen Ross. Director Britton explained that Meridian Fence was the only company to provide a quote during the bid process for this project. The original quote was for approximately \$156,000 and the contract is for \$113,665.64. Director Britton said the fence will be wrought iron with side gates and gate openers; the majority of the project will be completed prior to this year's fair with the possible exception of the gate openers which can be worked around. Legal has reviewed the contract and approves as to form. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with Meridian Fence for the Fair Event Center (see agreement no. 23-073). The meeting concluded at 11:45 a.m. and an audio recording is on file in the Commissioners' Office.

JULY 2023 TERM

CALDWELL, IDAHO JULY 3, 2023

APPROVED CLAIMS

- The Board has approved claims 596130 to 596178 in the amount of \$202,502.24
- The Board has approved claims 596179 to 596220 in the amount of \$16,326.89
- The Board has approved claims 596257 to 596288 in the amount of \$203,709.21
- The Board has approved claims 596340 to 596368 in the amount of \$16,243.77

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Kim Dickson, Emergency Technical Services Manager; and Jarid Alan Henman, Deputy Sheriff – Patrol 41006.

MEETING TO CONSIDER AGENDA ITEMS

The Board met today at 9:15 a.m. to consider agenda items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson (left at 9:51 a.m.), Deputy P.A. Zach Wesley (left at 9:51 a.m.), Chief Deputy Treasurer Jennifer Mercado (left at 9:51 a.m.), Deputy Treasurer Tanya May (left at 9:51 a.m.), Chief Deputy Assessor Joe Cox and Deputy Clerk Jenen Ross. The agenda items were taken up as follows:

Discussion regarding property offer pertaining to Parcel 34980000 0, Pond Lane and Action item to consider issuing decision on property offer submitted for Parcel 34980000 0, Pond Lane:

Mr. Cox gave a description of the property noting that it is essentially land-locked with a couple exceptions such as accessing the parcel via river access or thru an easement. Discussion ensued regarding the best way to dispose of this property which was taken for tax deed in 1942. Commissioner Holton is not in favor of accepting the offer from Mills and Co. for \$10,000 – he doesn't feel like he has all the pertinent information to make a decision. Commissioner Brooks feels that in the free-market, the property is only worth what someone will pay for it and in all these years no one has purchased it. Commissioner Van Beek feels the offer is a good one and is in favor of selling. Mr. Cox noted that at the most recent auction, the minimum bid was \$196,000 which may have contributed to the lack of offers. He suggested that perhaps the property could be again offered at auction but with a \$0 minimum. Commissioners Brooks and Holton were receptive to this idea as it gives everyone the same opportunity and there could be no perception of preference. Commissioner Van Beek said she is still in favor of accepting the offer.

Commissioner Van Beek made a motion to sell the land to the offer made by Mills and Co. for \$10,000. The motion died for lack of a second.

Commissioner Holton made a motion to follow the suggestion made by Mr. Cox to offer the property at auction with a minimum bid of \$0. Commissioner Brooks seconded the motion noting there may need to be additional discussion in executive session. On the advice of legal counsel, Commissioner Holton withdrew his motion.

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 9:32 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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Chief Deputy Treasurer Jennifer Mercado, Deputy Treasurer Tanya May and Chief Deputy Assessor Joe Cox. The Executive Session concluded at 9:46 a.m. with no decision being called for in open session.

At the conclusion of the executive session Commissioner Brooks made a motion to offer the property at auction with no floor and instructed all relevant parties to work to move this forward. The motion was seconded by Commissioner Holton. A vote was taken with Commissioners Brooks and Holton voting in favor of the motion and Commissioner Van Beek voting in opposition as she is in favor of just selling the property. The motion carried in a 2-to-1 split vote.

Further discussion ensued regarding conducting the auction by sealed bid vs. public auction. Mr. Wesley said he will research the guidelines on tax deed auctions.

The meeting concluded at 9:52 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER HR RESOLUTIONS FOR THE SHERIFF'S OFFICE

The Board met today at 10:00 a.m. to consider HR resolutions for the Sheriff's Office. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy Sheriff Doug Hart, Captain Chuck Gentry, Captain Harold Patchett, Captain Ray Talbot, HR Director Kate Rice, HR Generalist Cindy Lorta, and Deputy Clerk Monica Reeves. The items were considered as follows:

Action Item: Consider resolution to reclassify Data Analyst Technician Position to Emergency Technical Services Manager - Chief Hart said the Sheriff's Office renamed their IT Department to Emergency Technical Systems (ETS) and they transferred a sergeant to security services and used the sergeant position to create a third captain position. Of the five remaining employees, one was clearly the right choice to become the ETS Manager and that person is Kim Dickson and they felt a salary adjustment needs to be made to reflect the fact she is supervising four other employees and has significant responsibilities. The resolution today retitles the PCN and adjusts the salary to a base salary of \$91,000. (The total salary would be \$93,600, which includes a \$2,600 on-call pay

that's not part of the base salary.) COO Rast offered comments in support of the request and explained how the position works with the County IT Department. An MOU will formalize the relationship between the Sheriff's Office ETS and the County IT Department who will provide the oversight to the Sheriff's Office as they move forward in staying on top of the technological requirements of CCSO. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the change in job title, job description of one position in the Sheriff's Office from a data analyst technician position to an emergency technical services manager with a salary of \$91,000 with on-call specialty pay. (Resolution No. 23-179.)

Action Item: Consider resolution to increase K-9 pay for K-9 Handlers in the Sheriff's Office - Chief Hart said for various positions in the Sheriff's Office there is a specialty pay attached to address the additional hours worked by virtue of those positions. For the K-9 handlers they work with the animals throughout the lifespan of the animal's service and when the animal is retired the handlers keep and care for them until the end of their lives and for the K-9 handlers that is an extra duty every single day. They looked at pay across the nation and found they were grossly underpaying as it relates to K-9 specialty pay so they felt the best way to address the drastic shortfall is to offer a flat rate of \$500 per month starting October 1, 2023. The current specialty pay is \$2,300; and the request is for an additional \$3,700 for a new specialty pay rate of \$6,000. Following comments, Commissioner Van Beek made a motion to approve the specialty pay for the k-9 handlers with the anticipated implementation date of October 1, 2023. (Resolution No. 23-180.) The motion was seconded by Commissioner Brooks and carried unanimously.

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

MEETING TO CONSIDER FY2024 FUNDING REQUESTS FOR COMMUNITY GROUPS

The Board met today at 10:30 a.m. to consider the FY2024 funding requests for community groups. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, and Deputy Clerk Monica Reeves. The requests were summarized as follows:

Advocates Against Family Violence (AAFV) requested \$76,953 (\$50,000 plus \$26,953 for construction cost overruns)

Commissioner Van Beek spoke of the services AAFV offers to the community and said she is in support of the full funding amount. Commissioner Holton concurs said AAFV clearly demonstrates it's an efficiency for the County and a safety net for people and it comes at a lesser cost than if the County tried to provide the services. Additionally, the Prosecutor supports it as well. Commissioner Brooks concurs with the statements of the other Commissioners. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board acknowledged it would commit to the funding for AAFV.

Caldwell Veterans Council requested \$38,400

Commissioner Van Beek said by state statute the County provides funding for Veterans services, and the request has historically been \$32,000. There was discussion regarding the services the organization provides as well as this year's increased funding request. Commissioner Holton has toured the facility and found it to be impressive. Commissioner Brooks is grateful the building exists and that they have volunteers to help. The Board is supportive of funding at least \$32,000, but it wants to know what the additional funds will be used for if it decides to approve the increased amount to \$38,400. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to continue this matter to a later date where they will consider the full funding amount.

Canyon Soil Conservation District requested \$25,000

Commissioner Holton said their efficiency helps our quality of life and our agricultural industry and he supports the funding request. Commissioner Van Beek agrees. Commissioner Brooks said there's no question that the soil conservation district provides a benefit to the community as do the other groups who have asked for funding but for him it is a question of whether the Board should be taxing the citizens and giving funding to private entities. He is in favor of continuing to fund them but it's a matter of the increase. Commissioner Van Beek supports Commissioner Brooks' points and she needs to refresh her memory and have clear reasons on the record on why the Board would approve an increase. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to defer this and continue this item to a later date and be more articulate in our points.

Genesis Community Health requested \$150,000

Commissioner Brooks said this is an excellent organization doing God's work in the community. The Board is being asked for a lot of positions and County government is predominately a service-level of government, and he would rather see tax dollars going to improve the quality of service provided at the County rather than to this organization. He is not in favor of funding the request by Genesis Community Health. Commissioner Holton said it does not meet the threshold of demonstrating a current County service that we are engaged in, nor does it meet the funding criteria. Commissioner Van Beek said they do great work, but in Title 31 the provision of medical services falls under indigency which the state has now assumed. It will be a difficult position because they are trying to reach out in an altruistic way and faith-based organizations help those less fortunate, and it is a good cause. Commissioner Holton said they moved to Garden City so this operation is out of county and he has great pause about spending funds on an organization that is not physically here and the clients they work with do not have the immediacy of mobility to go to Garden City and participate. Further discussion ensued. Commissioner Brooks said it would be more appropriate for the organizations to ask the community for donations to help fund their budgets rather than asking for County tax dollars. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to not approve the funding request for Genesis Community Health.

Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to schedule the remaining organizations who are requesting funding to later

this week. The meeting concluded at 11:03 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM
CALDWELL, IDAHO JULY 5, 2023

APPROVED CLAIMS

- The Board has approved claims 596289 to 596339 in the amount of \$72,048.35
- The Board has approved claims 596221 to 596256 in the amount of \$692,084.60
- The Board has approved claims 596391 to 596411 in the amount of \$12,111.00
- The Board has approved claims 596412 to 596433 in the amount of \$31,209.10
- The Board has approved claims 596434 to 596475 in the amount of \$66,551.35
- The Board has approved claims 596476 to 596478 in the amount of \$13,442.08

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ProjectManager.com in the amount of \$15,325.20 for the Information Technology department (PO #5647)
- Curtis Blue Line in the amount of \$2728.50 for the Sheriff's Office (PO #5676)

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Casa Robles to be used 7/15/23.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR WALMART STORES, INC. (PROTEST NOS. 23088, 23089, 23090, 23091, 23092, AND 23093)

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:04 a.m. to conduct a property tax assessment protest hearing for Walmart Stores, Inc., 2780 - Protest No. 23088; Walmart Stores, Inc., US04494 - Protest No. 23089; Walmart Stores, Inc., US04180 - Protest No. 23090; Walmart Stores, Inc., #3739 - Protest No. 23091; Walmart Stores, Inc., Gas Station - Protest No. 23092; Walmart Stores, Inc., 2781 - Protest No. 23093. (PIN: 64934377 0, 64941347 0; 64941148 0; 64936097 0; 64937680 0; and 64934376 0.) Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Appraiser Dawn Houghton, and Deputy Clerk Monica Reeves. The appellant was not present for today's hearing; however, they sent a letter dated June 29, 2023 which stated they are in discussions with the Assessor's Office and have asked the Board to uphold the Assessor's value reserving the right to take the appeal to the Board of Tax Appeals if an agreement cannot be

reached. Appraiser Dawn Houghton stated she has been working with Walmart to come to some conclusions on their values for their business personal property taxes, and they have requested the County uphold the value but they want to reserve their right to take the matters to the Board of Tax Appeals if they are unable reach a resolution. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to uphold the values on Walmart Stores, Inc., for Protest Nos. 23088, 23093, 23090, 23092, 23089, and 23091, as per the written request from Walmart received by the Board and the Assessor's office on June 29, 2023. The hearing concluded at 9:08 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION - AMAZON.COM SERVICES, INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:05 a.m. to conduct a property tax assessment protest hearing for Amazon.com Services Inc., protest no. 23071, PIN 62222205 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraiser Dawn Houghton, Brigit DuBois on behalf of Amazon, Assessor staff members, and Deputy Clerk Monica Reeves. Brigit DuBois offered testimony in support of the protest application. Dawn Houghton and Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony and Board comments, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 11:25 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – CF HIPPOLYTA NAMPA, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:27 a.m. to conduct a property tax assessment protest hearing CF Hippolyta Nampa, LLC, protest no. 23075, PIN 30481012 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Appraiser Dawn Houghton, Brigit DuBois on behalf of Amazon, Assessor staff members, and Deputy Clerk Monica Reeves. Brigit DuBois offered testimony in support of the protest application. Mike Cowan and Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 12:08 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR FARGO COMMUNITY CHURCH

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:40 p.m. to conduct a property tax assessment protest hearing for Fargo Community Church, protest nos. 23042 and 23043. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Sr. Property Appraiser Darryl Spieser, Chief Deputy Assessor Joe Cox, Other Assessor's Office Staff, Lorene and David Alley, David Cadwell, Wendy Coome, Bart Cochran and Deputy Clerk Jenen Ross. Mr. and Ms. Alley offered testimony in support of their protest applications. Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office. For protest no. 23042, Commissioner Van Beek made a motion to grant the exemption. The motion was seconded by Commissioner Brooks. Following additional questions regarding the portion of the property to be exempted, Commissioner Van Beek withdrew her motion. A subsequent motion was made by Commissioner Brooks to grant an exemption to the one-acre parcel that was previously exempted. The motion was seconded by Commissioner Van Beek and carried unanimously. For protest no. 23043, Commissioner Van Beek made a motion to grant the exemption. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 2:01 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR NAMPA VALLEY GRANGE #131

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:02 p.m. to conduct a property tax assessment protest hearing for Nampa Valley Grange #131, protest no. 23124. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Sr. Property Appraiser Darryl Spieser, Chief Deputy Assessor Joe Cox, Other Assessor's Office Staff, David Cadwell, Wendy Coome, Bart Cochran and Deputy Clerk Jenen Ross. Ms. Coome offered testimony in support of the protest application. Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 2:13 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR LEAP CHARITIES, INC.

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:14 p.m. to conduct a property tax assessment protest hearing for Leap Charities, Inc, protest no. 23037. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Sr. Property Appraiser Darryl Spieser, Chief Deputy Assessor Joe Cox, Other Assessor's Office Staff, David Cadwell, Bart

Cochran and Deputy Clerk Jenen Ross. Mr. Cochran offered testimony in support of the protest application. Jennifer Loutzenhiser and Joe Cox offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Brooks made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:41 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR 3900 OVERLAND LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:42 p.m. to conduct a property tax assessment protest hearing for 3900 Overland LLC, protest nos. 23069 and 23070. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Sr. Property Appraiser Darryl Spieser, Other Assessor's Office Staff, David Cadwell and Deputy Clerk Jenen Ross. Mr. Cadwell offered testimony in support of the protest applications. Darryl Spieser and Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 3:08 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER AN ACTION ITEM

The Board met today at 3:29 p.m. to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, HR Director Kate Rice, HR Generalist Jennifer Allen, Director of Juvenile Probation Elda Catalano, COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider resolution adopting changes to the job title of one (1) position; the job title, job description and salary range of one (1) position and the job title and job description of sixteen (16) positions in Juvenile Probation: Director Catalano provided an explanation of the changes being considered and spoke about the employee being promoted. Commissioner Van Beek made a motion to adopt the changes to the job title of one position and the job title, job description and salary range of one position and the job title and job description of sixteen positions in Juvenile Probation as follows: one Unit Supervisor to one Division Supervisor with no change in salary, same salary range; one Juvenile Probation Officer to one Juvenile Probation Officer III with a change in salary of \$2471.38 annually; six Juvenile Probation Officers are going to be moved to Juvenile Probation Officer I status with no salary impact; two Juvenile Probation Officers to two Juvenile Probation Officer II, no salary impact with this change; one Community Service Officer moved to a Juvenile Probation Officer III with no salary impact; one Intake Officer will move to one Juvenile Probation Officer III with no salary impact; one Juvenile Probation Training Coordinator will move to a Juvenile Probation Officer III with no salary impact; one Presentence Investigator will move to a

one Juvenile Probation Officer [III] with no salary impact; four Sr. Juvenile Probation Officers will move to Juvenile Probation Officer III with no salary impact. The motion was seconded by Commissioner Brooks and carried unanimously (see resolution no. 23-181). The meeting concluded at 3:40 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER FY2024 FUNDING REQUESTS FOR COMMUNITY GROUPS

The Board met today at 4:05 p.m. to consider issuing a decision regarding FY2024 funding requests for community groups. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, and Deputy Clerk Monica Reeves. As part of today's discussion, the Board reviewed a worksheet that contained information from community groups who have requested funding from the County. The requests are summarized as follows:

Advocates Against Family Violence requested \$76,953, and it was approved by the Board on July 3, 2023.

Genesis Community Health requested \$150,000, but the Board denied the request on July 3, 2023.

Caldwell Veterans Council requested \$38,400 which is an increase of \$6,400 over last year's amount and it was inflationary increase valued at 20%. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to reduce the amount to \$4,500 for a total approved amount of \$36,500.

Canyon Soil Conservation District requested \$25,000 which included a \$10,000 inflationary increase to cover the costs for community programs (cover crops and no-till drill). Commissioner Van Beek believes the \$10,000 increase over last year's amount is too much and she made a motion to approve a total funding amount of \$20,000. Commissioner Holton agreed with the increase of \$5,000 and said next year he would like the district to show the Board what the increase was used for and the Board could consider something different next year. The motion was seconded by Commissioner Holton and carried unanimously.

Valley Regional Transit requested \$74,767. Commissioner Holton, who is also the Mayor of Greenleaf, said the Greenleaf City Council chose to fully fund the request which is significantly less than the County's portion. Their match dollars are five-to-one and he is aware of a program they want to start which is similar to a government-started Uber program or a taxi service that will target people in rural Canyon County. He proposed a funding amount of \$50,000. Commissioner Van Beek said they are proposing a different model where the routes they historically tried were not successful. Discussion ensued. Commissioner Brooks said with the vast majority (85%) of the ridership being in the City of Boise and Canyon County mostly being in the cities of Nampa and Caldwell, who are contributing significantly to this, he does not support funding for VRT at this time. Commissioner Van Beek said she supports it given that federal dollars have already been allocated and this is a pilot program and she is willing to give it a shot at the reduced amount of \$50,000. Commissioner Holton made a motion to approve funding in the amount of \$50,000.

Commissioner Van Beek seconded the motion. The motion carried by a two-to-one split vote with Commissioner Brooks voting in opposition to the motion.

West Valley Humane Society requested \$425,000. Commissioner Holton said it is part of the Facilities budget and the Board is going to stay status quo at last year's funding amount of \$200,000. The Board is in the process of asking for additional information from the humane society that's operating the shelter. Commissioner Holton made a motion to stay status quo at the \$200,000 amount. Commissioner Brooks supports the \$200,000 amount especially since we have a lease/funding agreement in play. Commissioner Van Beek said the organization is in the process of restructuring and the community has been very happy them, and she then seconded the motion. The motion carried unanimously.

COMPASS requested \$125,110. Commissioner Brooks said COMPASS is the metropolitan planning organization that the federal government requires that we have in place to receive federal funding for transportation in the area. Canyon County's contribution amount is \$125,110 and we are required to pay it if we want to maintain membership. He serves on the COMPASS finance committee and will learn more about whether the compensation plan for COMPASS employees will impact the \$125,110 amount or if it's a fixed amount. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve funding in the amount of \$125,110.

Treasure Valley Partnership requested \$5,580. Commissioner Brooks said TVP is a partnership of all the political subdivisions in the area and its main function is to organize and fund a United States special prosecutor to provide federal prosecution of drug and firearm violations commonly associated with gang activity in the area. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to approve the funding amount of \$5,580.

Southwest District Health requested \$2,337,527. Commissioner Brooks serves on the SWDH Board and its budget has already been approved, and this year's amount represents an increase of \$80,000-\$90,000 over last year. Canyon County is the most populous county in the district with the highest property values so we pick up the lion's share of what counties contribute to SWDH. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the funding amount of \$2,337,527.00.

AGENCY	FY2024 Requested Amount	FY2024 Approved Amount
Advocates Against Family Violence	\$76,953.00	\$76,953.00
Caldwell Veterans Council	\$38,400.00	\$36,500.00
Canyon Soil Conservation Dist.	\$25,000.00	\$20,000.00
Genesis Community Health	\$150,000.00	\$0.00
Valley Regional Transit	\$74,767.00	\$50,000
West Valley Humane Society	\$425,000.00	\$200,000
COMPASS	\$125,110.00	\$125,110

Treasure Valley Partnership	\$5,580.00	\$5,580.00
Southwest District Health	\$2,337,527.00	\$2,337,527.00

Miscellaneous:

The following organizations submitted applications for funding requests for FY2024: Jannus (\$20,000); Metro Community Services (\$125,000); and Nampa Family Justice Center (\$74,870.64); however, they were not granted meetings to present to the Board. Commissioner Holton said the Board had a standard for funding requests where the groups had to demonstrate they were picking up a service that the County would have to do already and that they were able to do it more efficiently and at a lesser cost. He said Jannus, Metro Community Services, and Nampa Family Justice Center are not in the County's direct purview and we are not statutorily required to do any of that so the Board has decided the groups do not meet the metric. The three agencies will receive a letter stating the County is unable to fund their requests.

Commissioner Van Beek said the Board moved the funding for Boise Valley Economic Partnership to the Development Services Department budget last year or the previous year. The organization brings economic opportunities and keeps the Board in the loop, and the DSD Director attends those meetings and feels it is the appropriate amount that should be funded. *The Board did not receive a funding application from BVEP.*

Third District Youth Court did not receive a funding application this year, however, when they reached out they were advised the expense should be under the Prosecuting Attorney's budget. When PA Taylor presented his budget, he increased the ask from \$10,000 to \$20,000 for the Youth Court and the Board will be addressing that. Commissioner Holton said PA Taylor concurred that it should be under his budget. Commissioner Van Beek said other organizations that solicit the County that are directly tied to the standard the Board sets should be issued one check so they have control once the funds are approved.

Western Alliance for Economic Development did not submit a funding request for FY2024. Commissioner Holton said he needs to obtain further information from WAED; they made a verbal representation but they have not followed it up with a written document. Commissioner Van Beek said there was value in the WAED position for grant writing purposes and the County could potentially use a grant writer so the Board will hold it open for discussion. Commissioner Holton said with the way WAED is going to restructure itself the County will be able to participate fully, and it won't just be to a satellite organization. The meeting concluded at 4:34 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED CLAIMS

- The Board has approved claim 596479 in the amount of \$14,338.05
- The Board has approved claims 596369 to 596390 in the amount of \$30,006.36
- The Board has approved claim 596480 in the amount of \$661.20

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Elevate in the amount of \$15,035.00 for the Information Technology department (PO #5648)
- Cardio Partners in the amount of \$7,666.96 for the Sheriff's Office (PO #5684)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Tina Jones, Housekeeping Supervisor.

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

The board met today at 9:38 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, Prosecutor Bryan Taylor (left at 10:19 a.m.), Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Controller Zach Wagoner, Chief Deputy Sheriff Doug Hart (left at 9:45 a.m.), Cpt. Ray Talbot (left at 9:45 a.m.), EOM Christine Wendelsdorf (left at 9:45 a.m.), Director of SWDH Nikki Zogg and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Agreement with High Focus, LLC, for Development and Implementation of Canyon County Incident Management Team: Ms. Wendelsdorf explained this is for 9 training classes – planning will happen during the remainder of 2023 and training will happen between March and July of 2024. Once the schedule is complete the Sheriff's Office will reach out to other area agencies for participation. This training will be paid for with grant funds over a two-year period. The idea is that this will encompass multiple agencies and different areas of expertise in order to have a team to respond to large scale emergencies vs. just a few people within the Sheriff's Office. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with High Focus, LLC, for development and implementation of a Canyon County Incident Management Team (see agreement no. 23-074).

The Board recessed from 9:45 a.m. to 9:49 a.m.

Consider IDOC Pre-Prosecution Diversion Grant: Prosecutor Taylor explained this document is still being negotiated with IDOC; some of the items still being worked thru include an “out” clause, indemnification and some of the accounting requirements. The purpose of this grant is to divert individuals before they get too far into the criminal justice system. The original grant amount applied for was about \$500,000 but recently the county was notified that \$1.8M would be awarded. There is no financial impact on Canyon County residents but it will greatly benefit the residents of Canyon County. Controller Wagoner spoke about the accounting portion as requested by IDOC and what some of those challenges might be. Mr. Taylor addressed several questions posed by Commissioner Van Beek and Dr. Zogg provided information on what SWDH’s role in this grant will be. Following discussion Prosecutor Taylor will continue negotiations with IDOC and bring the documents back at a later time.

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 AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 10:19 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner 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. Carl Ericson and Deputy P.A. Zach Wesley. The Executive Session concluded at 10:26 a.m. with no decision being called for in open session.

The meeting concluded at 10:26 a.m. and an audio recording is on file in the Commissioners’ Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR GATEWAY CROSSING APARTMENTS LLC AND NEIGHBORHOOD HOUSING SERVICES, INC. DBA NEIGHBORWORKS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:33 a.m. to conduct a property tax assessment protest hearing for Gateway Crossing Apartments and Neighborhood Housing Services, Inc. dba Neighborworks, protest nos. 23039 and 23038. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Sr. Property Appraiser Darryl Spieser, Commercial Appraiser Kevin Sorensen, Other Assessor’s Office Staff, Michael Shepard and Deputy Clerk Jenen Ross. Mr. Shepard offered testimony in support of the protest applications.

Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to close testimony. Following testimony and Board questions, discussion and deliberation, a motion was made by Commissioner Van Beek to uphold the Assessor's value on protest nos. 23038 and 23039. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 10:52 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:53 a.m. to conduct a property tax assessment protest hearing for David and Susan Wishney Family Trust, protest no. 23035. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Sr. Property Appraiser Darryl Spieser, Commercial Appraiser Kevin Sorensen, Other Assessor's Office Staff, David Wishney and Deputy Clerk Jenen Ross. Mr. Wishney offered testimony in support of the protest application. Mike Cowan and Darryl Spieser offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to close testimony. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 11:22 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – WATER TOWER, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:31 p.m. to conduct a property tax assessment protest hearing for Water Tower, LLC., Protest No. 23051, PIN 31996611 0; Protest No. 23052, PIN 31996604 0; Protest No. 23053, PIN 31996602 0; Protest No. 23054 PIN 31996606 0; Protest No. 23055, PIN 31996622 0; Protest No. 23056, PIN 31996601 0; Protest No. 23057, PIN 31996603 0; and Protest No. 23058, PIN 31996610 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Kevin Allcott, on behalf of Water Tower, LLC, Appraisal Supervisor Greg Himes, Residential Supervisor Holly Hopkins, Appraiser Brett Hartley, Assessor's staff members, and Deputy Clerk Monica Reeves. Kevin Allcott offered testimony in support of the protest application. Brett Hartley and Greg Himes offered testimony on behalf of the Assessor's Office. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close testimony. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value on Protest Nos. 23051, 23052, 23053, 23054, 23055, 23056, 23057, and 23058. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 1:56 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM
CALDWELL, IDAHO JULY 7, 2023

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Celia Asumendi, Juvenile Probation Officer III; Jason Yano, Sr. Weed and Gopher Applicator; Justin Hambley, Deputy Sheriff; Heidi Brannon, Election Specialist; and Robert Hart, Deputy Sheriff.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR CITY DEVELOPMENT, INC., AND U-SAVE STORAGE, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:02 a.m. to conduct a property tax assessment protest hearing for City Development, Inc., Protest No. 23111, PIN 0754050 0; and U-Save Storage, LLC, Protest No. 23108, PIN 24368000 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, and Deputy Clerk Monica Reeves. The appellant was not present for today's hearing. Greg Himes said the Assessor's Office is requesting the Board uphold the values on both accounts. Staff has been in communication with Jake Smith, the owner of City Development and U-Save Storage, regarding the values and he is not going to appear for today's hearing. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to uphold the Assessor's values on Protest Nos. 23108 and 23111. The hearing concluded at 9:05 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR SYMMS FRUIT RANCH, INC., AND MOUNTAIN VIEW COLD, LLC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 11:02 a.m. to conduct a property tax assessment protest hearing for Symms Fruit Ranch, Inc., and Mountain View Cold, LLC, Protest No. 23072, PIN 33480000 0; Protest No. 23073, PIN 33563000 0; and Protest No. 23074, PIN 33304010 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Dar Symms who is the President of Symms and Member of Mountain View Cold, Appraisal Supervisor Greg Himes, Appraiser Darryl Speiser, Commercial Supervisor Mike Cowan, Chief Deputy Assessor Joe Cox, Assessor's staff members, Sr. Systems Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. Today's hearing was a continuance from the hearing held on June 30, 2023 where the Board asked the Assessor's Office to look at some new information and report back to the Board on their findings. Greg Himes, Darryl Speiser, and Mike Cowan offered testimony on behalf of the Assessor's Office. Dar Symms testified in support of his protest

applications. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close testimony. Commissioner Holton said he does not have clear and compelling information to make a determination that the proposed assessed values are out of line. He sees the differences that Mr. Symms has pointed out between the Caldwell industrial properties and his properties, but when it comes down to the square footage Commissioner Holton feels the County is trying to be fair in recognizing it is an agricultural use and not a commercial property that's adjacent to a rail line. He supports upholding the assessed value. Commissioner Van Beek appreciates the Assessor going back for a deeper dive and she thinks both sides have made a compelling argument. She has toured the facility and spoke about the issues facing farmers and orchardists. She said we are not talking apples to apples when it comes to maintaining the viability of their business and there has to be some argument for are we really looking at what the long-term goals are and the uniqueness of a heavily regulated, weather-driven, labor-dependent economy. She would not be able to uphold the assessed value because she believes there is a piece missing and it matters to that segment of society. Commissioner Brooks said he is in the same position as he was the last time the Board met on this issue and he believes the Assessor's Office has done a good job at putting those values in tightly in the comparisons the other buildings that are being used for similar uses. He is in favor of upholding the Assessor's value. Commissioner Holton said he wants to ensure uniform market values and he was uncomfortable with the light manufacturing warehouse and a pole barn with a dirt floor. He has not been given substantiation to reduce the total assessed value and he believes the Assessor has provided the range of information needed to make a decision. Commissioner Brooks made a motion to uphold the values for Protest Nos. 23072, 23073, and 23074. The motion was seconded by Commissioner Holton. Commissioner Van Beek was opposed to the motion to uphold the assessed values. The motion carried by two-to-one split vote. The hearing concluded at 11:58 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION - APPROVE ASSESSOR'S ADJUSTMENTS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 12:05 p.m. to consider adjustments submitted by the Assessor's Office. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Assessor's staff members, and Deputy Clerk Monica Reeves. Mr. Himes submitted a spreadsheet for the Board's review which included adjustments the Assessor's Office had made on parcels after the taxpayers demonstrated that an adjustment was warranted. Upon review of the spreadsheet, the Board had questions for Mr. Himes and Mr. Cox. The total adjustment amount is \$2,311,359. (A copy of the spreadsheet with the detailed information is on file with this day's minute entry.) Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to accept the adjusted values on the Canyon County Board of Equalization Assessor adjustment recommendations to the 2023 certified values #1. The meeting concluded at 12:15 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM
CALDWELL, IDAHO JULY 10, 2023

There were no meetings scheduled this day.

JULY 2023 TERM
CALDWELL, IDAHO JULY 11, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell, Inc., in the amount of \$6,956.70 for the Information Technology Department (PO #5649)
- Carbon Networks in the amount of \$14,475.00 for the Information Technology Department (PO #5650)
- Plural Sight in the amount of \$11,180.00 for the Information Technology Department (PO #5651)
- Curtis Blue Line in the amount of \$27,664.00 for the Sheriff's Office (PO #5685)
- Curtis Blue Line in the amount of \$8,040.00 for the Sheriff's Office (PO #5686)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for Ella Dunaychuk, Clerk II (Underfill III)

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Tap Truck Treasure Valley to be used 7/28/23.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 9:16 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Managers Kellie George and Jenniffer Odom and Deputy Clerk Jenen Ross.

Case no. 2023-69: Indigent Services believes there to be social security payment available in the decedent's account and/or property and a mobile home in Hagerman that was owned by the decedent and her late mother, however, Canyon County public administration could not be involved with the processing of the property as it is located in Gooding County. Commissioner Van Beek made a motion to deny the case as the county is the payer of last resort and have to find assets that meet \$1000 and we [the Board] believes based on the information that has been provided that those exist. They [the decedent's family] do have different alternatives to pursue if

they really are in financial hardship including assets located in another county or applying themselves as personal representatives and looking further into that is also an option for the funeral home so with that information that is the motion to deny. The motion was seconded by Commissioner Brooks and carried unanimously.

Case no. 2015-1130 has met their obligation and the account has been paid in full. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the lien release.

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

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:34 am. 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. Carl Ericson, Deputy P.A. Alex Klempel, Controller Zach Wagoner, HR Director Kate Rice, COO Greg Rast and Deputy Clerk Jenen Ross.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:35 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. 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. Carl Ericson, Deputy P.A. Alex Klempel, Controller Zach Wagoner, HR Director Kate Rice and COO Greg Rast. The Board and Mr. Rast left the executive session from 10:02 a.m. to 10:16 a.m. The Executive Session concluded at 10:23 a.m. with no decision being called for in open session.

Consider ballot appointing Gem County Commissioner Bill Buttici to the Southwest District Health Board of Health: Mr. Buttici will be filling the remaining term of Mr. Bryan Elliott; the term will expire on June 30, 2027. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the ballot appointing Gem County Commissioner Bill Buttici to the Southwest District Health Board of Health.

The meeting concluded at 10:25 a.m. and an audio recording is on file in the Commissioners' Office.

PRESENTATION BY THE TREASURE VALLEY WATER USERS ASSOCIATION

The Board met today at 10:30 a.m. for presentation by the Treasure Valley Water Users Association. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Roger Batt, Executive Director of the Treasure Valley Water Users Association, Dan Steenson from Sawtooth Law, Mike Meyers from Water District 63, Mike Schubert with HDR Engineering, Clinton Pline from the Nampa and Meridian Irrigation District, and TVWUA, DSD Director Sabrina Minshall, County Engineer Devin Krasowski, DSD Planner III Debbie Root, Deputy PA Zach Wesley, Keri Smith, George Crookham, Alan Mills, Ron Harriman, David Ferdinand, Matt Wilke, other interested citizens, and Deputy Clerk Monica Reeves. 49-page PowerPoint was provided, as well as a five-page handout titled *Treasure Valley Water Supply Assessment and Sustainability Project*, and a timeline document, all of which are on file with this day's minute entry. Presentations were as follows:

- Roger Batt, Executive Director, Treasure Valley Water Users Association: Slides 1-16 regarding TVWUA, irrigation and drainage development & systems, impacts of urbanization on ground water recharge & surface return flows to drains.
- Dan Steenson, Sawtooth Law: Slides 17-25 regarding Shaw analysis of urbanization impact on drain flows, delineation of conversion of flood irrigation to urban pressure irrigation, HDR projection of drain flow declines.
- Mike Meyers, Water Master – Water District 63: Slides 26-31 regarding 2022 low flows & drain declines.
- Mike Schubert with HDR Engineering, Mike Meyers & Dan Steenson: Slides 32-48 regarding T.V. Water Supply Project.

Dan Steenson reviewed the Project Cost Summary:

Phase 1 Costs (2023-2024)

➤ Project Development	\$15,000
➤ Start-up Costs:	\$131,000
➤ Annual Maintenance:	\$130,000
➤ Analytics:	<u>\$50,000</u>
	\$326,000

Phase 2 Costs (2024-2027)

➤ Annual Maintenance:	\$130,000
➤ Annual Analytics & Modeling:	<u>\$200,000</u>
	\$330,000 Phase 2 Total (\$990,000)

Phase 3 Costs (2023-2028) (TBD)

Project Sponsors & Funding:

<u>Project Supporter:</u>	<u>Funding Request:</u>	<u>Commitment:</u>	<u>Received:</u>
Water District 63 (water users)	\$71,000.00	\$36,000.00	
Treasure Valley Water Users Assoc. (irrigation organizations, Project Development)	\$15,000.00	\$15,000.00	\$13,675.00
Flood Control District No 10	\$5,000.00	\$10,000.00	
Idaho Water Resource Board	\$155,500.00		
Ada County	\$50,000.00		
Canyon County	\$20,000.00		
City of Boise	\$5,000.00		
City of Caldwell	\$5,000.00		
City of Eagle	\$5,000.00		
Garden City	\$5,000.00		
City of Middleton	\$5,000.00		
City of Nampa	\$5,000.00	\$5,000.00	
Idaho Power	\$5,000.00		
Veolia Water	\$5,000.00		
TOTAL:	\$356,500.00	\$66,000.00	\$13,675.00

The requested funding amount for Canyon County is \$20,000. Mr. Steenson noted that Ada County has ARPA funding available and they recommended the TVWUA request \$50,000 rather than \$20,000. Commissioner Brooks asked why the group has not requested funding from the City of Meridian, City of Kuna, City of Notus, City of Melba, City of Wilder, or the City of Parma. He also asked how they determined their funding amounts, and why they used a flat fee of \$5,000 for some cities regardless of population. Mr. Steenson said there is no science to it, he started with what the TVWUA, as a sponsor of the project, could/would provide in funding and then he simply allocated the remaining need proportionately amongst the entities based on the size of the geographic area and not by a precise number of acres or size estimation. Commissioner Brooks believes the group should request more in funding from the entities. Commissioner Holton said if some of the issue is urbanization then at least Meridian, Nampa and Caldwell need to participate at a greatly increased percentage because the growth in the County is less than 5% of our total growth, most is within the municipalities so if they are the contributors maybe they need to be the participants. Mr. Steenson said he takes the comments seriously and they will see what they can do to incorporate the Commissioners' thoughts. For Phases 2 and 3 the sponsors on the list will see the TVWUA again, if the water resource board will approve the funding they will get started this Fall with the monitoring stations. For Phase 2 they are in discussions with the Bureau of Reclamation for a grant for nearly half of Phase 2 and they will have a funding need of \$500,000 so they will come back to the entities for additional project funding which is part of the thinking behind their modest request to start. Following the presentation, a question and answer session followed. Commissioner Holton thanked the group for the information and said the Board would

be in touch. No Board action was required or taken. The meeting concluded at 11:42 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM

CALDWELL, IDAHO JULY 12, 2023

APPROVED PAYROLL JULY 14, 2023

The Board approved the July 14, 2023 payroll in the amount of \$2,192,051.97

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Franz Witte in the amount of \$2,176.00 for the Facilities Department (PO #5655)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Shane Sears, Temp. Elections Staff; and Amy Kindberg, Housekeeping.

MEETING TO CONSIDER AGENDA ITEMS

The Board met today at 9:30 a.m. to consider agenda items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Prosecuting Attorney Bryan Taylor, Chief Deputy P.A. Carl Ericson, Controller Zach Wagoner, Facilities Director Rick Britton (left at 9:34 a.m.), COO Greg Rast, Clerk Chris Yamamoto (arrived at 9:53 a.m.), Accountant Sarah Winslow (arrived at 9:55 a.m.), Criminal Chief Deputy P.A. Doug Robertson (arrived at 9:56 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider Addendum No. 1 for Request for Qualifications CM/GC Elections Building Construction Project: Director Britton said there were four questions received which have been addressed by legal and Mr. Britton within the addendum. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign addendum no. 1 for Request for Qualification CM/GC Elections Building Construction.

Consider IDOC Pre-Prosecution Diversion Grant: Prosecutor Taylor provided some of his own questions along with Board questions to IDOC, the majority of which have been answered in the revised contract. IDOC is set in their requirements and some of the requested changes have not been accommodated, however, Mr. Taylor is still in favor of moving forward noting that if it is found to not be worthwhile the county can exit the agreement at any time. Questions from the Board regarding mental health holds, mental health specialists being embedded with the Sheriff's Office and the accounting requirements were addressed by Mr. Taylor and Mr. Wagoner.

Commissioner Van Beek stated 'I would be in favor of accepting this grant on the prosecutor's recommendation. When we have a meeting, which I would want to predicate that motion on, that we get people involved. This is a tough issue to tackle, you have it happening everywhere at all age levels, but I would want to include Kim Deugan the executive director, I would want to include Gene Petty, I would want all police chiefs, the sheriff, you, whoever else is going to be a part of this including the Board to have that expanded conversation about how we don't just talk about something but move something forward because it's so needed in the county. I would make that my motion that we accept those future meetings with those players [inaudible] I think a lot of people are happy about any movement on mental health.' The motion was seconded by Commissioner Brooks and carried unanimously. See agreement no. 23-075.

The meeting concluded at 9:58 a.m. and an audio recording is on file in the Commissioner's Office.

FY2024 BUDGET REVIEW/WORKSHOP FOR PROSECUTING ATTORNEY'S OFFICE

The Board met today at 10:04 a.m. for a FY2024 budget review/workshop for the Prosecuting Attorney's Office. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Prosecuting Attorney Bryan Taylor, Civil Chief Deputy P.A. Carl Ericson, Criminal Chief Deputy P.A. Doug Robertson, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Sarah Winslow, COO Greg Rast and Deputy Clerk Jenen Ross.

COO Rast provided Prosecutor Taylor with the questions noted below and today's workshop with the Prosecutor's Office centered on the following discussion topics:

In regard to the IDOC monies will be a separate accounting division under the umbrella of the Prosecutor's budget.

A Budget – Personnel

1. (4) FTE Requests – Populate New Position / Reclassification – Reduce to (3)
 - a. (2) Criminal Division
 - i. Domestic Violence Deputy
 - ii. Misdemeanor Cases Deputy
 - b. (2) Civil Litigation Division
 - i. Reduced to (1) – Land Use Hearings / Assessor Support – *Prosecutor Taylor is okay with this reduction with the caveat that if insurance claims become unmanageable he may need additional support.*

Discussion ensued regarding tracking system being developed by IT for the PA's office for tracking of Board projects.

Total number of employees in the PA's Office is 90 + 3 new requests.

Revenues

2. Enter projected City Revenues – PowerPlan

- a. 341432 Other Cities – What makes up PowerPlan – \$25,750
- b. Others appear to be populated – Nampa, Caldwell

Nampa and Caldwell are separated out due to being the largest cities, the others are grouped together as they are individually small amounts. Prosecution contracts are only entered into with cities with their own law enforcement.

B Budget

- 3. 521120 Misc. Professional Services
 - a. Leave at zero with new Civil Deputy Additions
- 4. 545502 Mileage – Transfer to Fleet – \$1,000
- 5. 545506 Gasoline and Oil – Zero Out – No Transfer
- 6. 548023 Priors
 - a. What is this line item for? \$1,000: *When there are prior convictions and certified copies need to be obtained from another state. Line will be renamed to more clearly define what this is being used for.*
- 7. Reduce 577110 Software
 - a. \$400K to \$60K – Pine Technologies for Support
 - b. No longer wanting to RFP for Case Management

Biggest concern is that they don't have enough licenses. At this time Prosecutor Taylor would like to pause on this line item. The \$400K is just a placeholder but he is hoping to have a clearer answer as to what will be necessary by the end of the month.

- 8. 682270 – Capital Construction
 - a. Move the \$5,000 to Facilities
- 9. 684330 General Vehicles – Transfer \$48,000 to Fleet
- 10. 548318 – Youth Court – \$20,000
 - a. Move to 122-46 (Treatment Courts) – *This is not a treatment court, it's a diversion program. Prosecutor Taylor would like to see the entire \$20,000 funded (vs. \$10,000 in previous years) as the program has been successful and the recidivism rate is essentially zero. Controller Wagoner believes the best place for this is in department 13, which is in the current expense fund. The Board is supportive of this being put in department 13.*

General Question – Why budget expenses are itemized for Nampa/Caldwell when actuals remain zero?

Prosecutor Taylor reviewed with the Board a few modifications he'd like to make:

- 413050, Part-time and 413060, Temporary: they were entered as \$25,000 – should have actually been \$35,000 in each of those line items.*
- 545503, Taxi – request to increase to \$500 as they are already over budget this year.*
- 548475, Sequential Intercept Model – would like to see the remaining \$4350 still in this line item accounted for in FY24.*

Based on a question from Commissioner Brooks, Prosecutor Taylor spoke about what the forfeiture line item is used for.

The meeting concluded at 11:05 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - SIERRA VISTA PROPERTIES/MINT FARM ESTATES - REZONE AND PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of a request by Sierra Vista Properties, Inc., for a rezone of 90.75 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. If approved, the request includes a preliminary plat, irrigation, and drainage plan for Mint Farm Estates Subdivision, which contains 39 residential lots. Present were: Commissioners Zach Brooks and Leslie Van Beek, DSD Planner III Debbie Root, Andrea Roshalt, Darin Taylor, Ammon Andelin, Derriitt Kerner, Allen Colson, Debbie Millsaps, Dan Richards, Jill Jenkins, Paige Harris, Todd Gray, Keri Smith, other interested persons, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley arrived at 1:50 p.m. Commissioner Van Beek said the Board heard a proposal last year on one of the properties adjacent to this site so there will be some familiarity of the area and the case information.

DSD Planner Debbie Root gave the oral staff report. The subject property is located at 8718 Purple Sage Road in Caldwell, and the majority of the property is currently in irrigated agricultural crop production and does not lie within an area of city impact. The proposed development for rural residential is a result of having the previous application for one-acre minimum lot sizes denied and the Board of Commissioners stating an option for approval would be to come back with an application for rural residential zoning with a 2-acre minimum average which is more commensurate with the development in the surrounding subdivisions. The area is agricultural in nature with larger lot sizes and farms in the area. The average lot size on the proposed plat is 2.04 acres. The property is located east of the current nitrate priority boundary, and there is a monitoring well at the boundary that exceeds 10 milligrams per liter nitrates and is downgradient from the property which is referenced in the County Engineer's letter. The engineer believes the development should be on a public drinking water system and a community waste system. If the development is approved staff recommends the Board impose a condition requiring a public drinking water system and/or that it be connected to an existing municipal system, and to require a public waste water system. Ms. Root reviewed the surrounding area including zoning and land uses; soils and irrigation information; access/traffic; essential services; potential impacts; agency comments, and public comments. The request does not allow conditions to be placed on the

rezone, the applicant signed a disclosure refusing to consider a conditional rezone with a development agreement. The request does not align with five goals and policies of the 2020 comprehensive plan regarding agricultural preservation. On January 19, 2023, the P&Z Commission recommended denial of the request citing cumulative impacts to the existing road system not being adequately addressed and the effects of all development that is occurring in the area. Following her report, Ms. Root responded to questions from the Board.

The following people testified in support of the request:

Ammon Andelin, the applicant's representative introduced the team who will testify today: Derritt Kerner, project engineer; Darin Taylor, project planner; and attorney Andrea Roshalt.

Derritt Kerner is the design engineer on the project, and he provided technical testimony. In their initial plan they had a mixed layout of 1-2 acre lots which yielded 53 lots on 90 acres, and they worked with staff to arrive at a proposed R-1 zoning with a development agreement that restricted density to 0.58 units per acre, but they were denied in 2022. Rural residential zoning was the only thing the Board would support in this area, and they changed the one-acre lots in the middle to 2 acres with 39 buildable lots. The highway district has no objection to their proposal, and they are complying with the future road map with internal connectivity, stub roads to the west and the east as well as dedicating and widening Purple Sage Road along their frontage. They will use surface water rights to supply a pressurized irrigation system to each lot. They did a full design for the retilling of the Black Canyon Irrigation lateral, but it has been paused until they secure preliminary plat approval. He was surprised the P&Z Commission denied the request and wanted the applicant to address the impacts on schools and traffic.

Darin Taylor said the P&Z Commission's FCOs state the Middleton School District capacity impacts are adequately addressed or minimized through approved mitigation measures to gain approval. They met with the district and talked about the Millcreek Elementary School, and the school has acquired additional portable units. The applicants have solicited the Building Contractors Association to assist the school district to get a bond approved for a new middle school and they have pledged to fund up to \$15,000 to the political action committee for the contractor's association toward the school bond effort. With the two portable units the school capacity at Millcreek Elementary does not exist any longer. Regarding the stop sign leaving the subject property onto Purple Sage Road, Mr. Taylor said they do not need to install a stop sign until the rezone is approved. Neither Canyon Highway District nor ITD oppose the application. The traffic impacts are being addressed by the entities having jurisdiction. It was made clear by the Board of Commissioners that the applicant needed to come back with a rezone to rural residential and 2-acre average lot size. There was discussion about a development agreement, but it did not fit with the rezone application, so they declined to do one. There are 26 subdivisions totaling 495 lots on 1,164 acres within one mile of the subject property. There have been 7 rezones approved in the area. Additional dwellings are helping to reduce the cost per dwelling of school bonds and making it more likely for bonds to be approved. Mr. Taylor reviewed irrigation and water supply issues. Following his testimony, Mr. Taylor and Ms. Root responded to questions from the Board. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to accept Exhibits I-3, I-4, and I-5 as presented by Subdivision Maker.

Andrea Rosholt gave testimony regarding the prior application. The applicant applied in 2021 and the Board denied the request, but it specified the actions the applicant could take to obtain approval. In both applications for a preliminary plat and the first conditional rezone, the action identified by the Board for the applicant to take was to receive approval of a zoning map amendment rezone of the property. The 2020 comprehensive plan has identified residential for this area. Canyon Highway District has entered into a Mid-Star agreement for the improvement of roads and that is consistent with the development that it's seen and so it's already addressing these road issues. There is a plan for Highway 44 and Lansing Lane, and this application is 2.2 miles from that.

The following people testified in opposition to the request:

Allen Colson lives adjacent to the subject property and his concerns include negative impacts to already overcrowded schools, and worsening traffic issues. Purple Sage Road is extremely busy; the roads are built for agricultural use, not the high traffic coming from subdivisions. He wants the County to preserve agricultural ground.

Debbie Millsaps lives west of the property and testified that the infrastructure is far behind. She is the secretary of Millcreek Elementary and said when classes are full they will have 265 students in portable units and that means they do not have water or restrooms and they will move from portables to the main building in order to use the restroom. The portables are not a long-term solution, it's a Band-Aid fix. There are homes going in by the dozen on Duff Lane and Lansing Lane, and those developments will have students. The elementary school has nearly 800 students, K-5, and it's tough to manage that many students. She is worried that the infrastructure is not in place, and it could take years for it to get there.

Daniel Richards testified that the people who support the request do not live in the area, and they won't be impacted by the development. His concerns include traffic, impacts to agriculture, water, damage to the aquifer, overcrowded schools, and road safety issues.

Jill Jenkins testified she owns 8 acres that border the property. She irrigates with agricultural ground water rights, and the canal goes behind her property, but they do not have surface water rights, it's all ground water irrigation rights. Her concern with tiling the ditch is that it won't allow for recharging, and it will limit the aquifer that the neighbors rely on for house water and irrigation water. The sewer leach fields cross contamination is another concern as is groundwater quality, lack of open spaces, and no sidewalks. She believes the applicant is putting the cart before the horse, and they need to bring in city services for what they are trying to do. It is not compatible with the surrounding properties which are over five acres, and she stressed the importance of agricultural preservation. Additionally, the schools are overcrowded, and we need a better approach to the growth.

Rebuttal testimony was offered by Darin Taylor and Andrea Rosholt. Mr. Taylor spoke of their communication with the Middleton School District and how they can pledge their effort, but there is no guarantee the bond will be approved. Ms. Rosholt said there are going to be traffic impacts,

but the highway district and the Idaho Transportation Department have not opposed this project and therefore there is no evidence in the record that they would oppose it. There is a project plan, and the intersection costs will be paid either from impact fees or tax dollars and increasing residences will help spread out those tax dollars. Regarding schools, she said the current issue has been mitigated and steps are being taken to mitigate it. Commissioner Van Beek had follow-up questions for Ms. Rosholt.

Commissioner Brooks asked if he is bound to statements a prior Board made to the applicant. Deputy PA Wesley said it's not necessarily binding, it was just the Board meeting the denial criteria at that point when it denied the land use application, however, that is not a commitment for approval in the future. Each application must meet the criteria on its own. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to take a recess. (The Board took a break at 3:16 p.m. and went back on the record at 3:24 p.m.) Commissioner Van Beek said she does not have clear definitions on what constitutes a material change, and the Board has accepted three late exhibits, but she has not absorbed what the impact is on the information that has been provided. The application was submitted in 2020 and she was part of the Board at that time that made a recommendation and gave direction on how to move forward. She would like to continue the hearing to give the full Board an opportunity to evaluate the late exhibits. Deputy PA Wesley said in the past when a Commissioner has not been available on the hearing date they have been able to listen to the audio, go through the evidence on their own, and then appear at the next hearing to participate in the deliberation. He prefers the Board close evidence today and if there is evidence that is taken at the next hearing the record can be reopened. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks, the Board voted unanimously to continue the hearing to August 24, 2023 at 1:30 p.m. The hearing concluded at 3:31 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM

CALDWELL, IDAHO JULY 13, 2023

APPROVED CLAIMS

- The Board has approved claim 596481 in the amount of \$56.99
- The Board has approved the June jury claim in the amount of \$9,727.04

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- W-W Mfg. Co., Inc. in the amount of \$34,699.50 (PO #5541)
- Port Erie Plastics in the amount of \$779,312.00 for the Fair (PO #5542)

APPROVED CATERING PERMIT

- The Board approved Idaho Liquor Catering Permits for Legends Sports Pub & Grill to be used 8/5/23 and 8/26/23.

TOUR ADA COUNTY JAIL

Today the Board toured the Ada County Jail in Boise, and although a Board majority attended and participated, the tour was not a Commissioner meeting. There were no motions, action items, or Board direction entertained or given.

MEETING TO TAKE PUBLIC COMMENTS REGARDING THE SOLE SOURCE PROCUREMENT OF A PORTABLE FLOORING SYSTEM FROM DURA-TRAC FLOORING FOR USE BY THE CANYON COUNTY FAIR

The Board met today at 1:34 p.m. to take public comments regarding the sole source procurement of a portable flooring system from Dura-Trac Flooring for use by the Canyon County Fair. Present were: Commissioners Leslie Van Beek and Brad Holton, Facilities Director Rick Britton, Fair Director Diana Sinner, Accountant Sarah Winslow and Deputy Clerk Jenen Ross. No comments were received and no members of the public attended the meeting to offer comment. Director Sinner provided comment on what this flooring will provide for the Fair. The action item was considered as follows:

Consider authorizing purchase of a portable flooring system from Dura-Trac Flooring for use by the Canyon County Fair: Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to authorize the purchase of a portable flooring system from Dura-Trac Flooring for use by the Canyon County Fair. Director Sinner said the product should arrive next Friday, July 21st and will be installed on Saturday, July 22nd.

The meeting concluded at 1:39 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION TO REAPPOINT MEMBERS TO THE HISTORIC PRESERVATION COMMISSION

The Board met today at 1:49 p.m. to consider a resolution to reappoint members to the Historic Preservation Commission. Present were: Commissioners Leslie Van Beek and Brad Holton, Deputy P.A. Oscar Klaas and Deputy Clerk Jenen Ross. Commissioner Holton read Director Schwend's email comments into the record as follows:

'...The decision is for re-appointment of Zach Wesley and George DeFord to the Historic Preservation Commission. Both have been serving on this board for longer than I've been a county employee, and we are extremely happy that they want to continue to serve. They are qualified individuals and committed to Historic Preservation in Canyon County.'

Commissioner Van Beek made a motion to sign the resolution to reappoint members to the Historic Preservation Commission. Commissioner Holton seconded the motion with the addendum to include the terms; Zach Wesley will be appointed to a one-year term and George DeFord will be appointed to a two-year term. The motion carried unanimously.

The meeting concluded at 1:52 p.m. and 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 4:00 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. A vote was taken on the motion with Commissioners Van Beek and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Leslie Van Beek and Zach Brooks, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Steven Jenkins with City of Caldwell and a Company representative. The Executive Session concluded at 4:30 p.m. with no decision being called for in open session.

JULY 2023 TERM

CALDWELL, IDAHO JULY 14, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$3646.73 for the Information Technology department (PO #5652)
- Platt in the amount of \$9564.39 for the Facilities department (PO #5653)
- K Safety in the amount of \$7603.20 for the Sheriff's Office (PO #5687)
- A-Gem in the amount of \$1826.00 for the Sheriff's Office (PO #5688)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Makaila Phillips, Permit Technician; Becky Siino, Sr. Admin for Weed & Pest; Laura Keys, Civil Deputy Prosecuting Attorney II; and Sylvia Ezenwa, Staff Attorney.

FILE TREASURER'S MONTHLY REPORT FOR MAY 2023

The Board filed the Treasurer's monthly report for May 1 through May 31, 2023.

ACTION ITEM: CONSIDER A RESOLUTION TO FUND AN UNFUNDED PCN FOR A CIVIL DEPUTY PROSECUTOR POSITION IN THE CANYON COUNTY PROSECUTING ATTORNEY'S OFFICE

The Board met today at 10:02 a.m. to consider a resolution to fund an unfunded PCN for a civil deputy prosecutor II position in the Canyon County Prosecuting Attorney's Office. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, HR Generalist Demi Etheridge, HR Director Kate Rice, and Deputy Clerk Monica Reeves. Chief Deputy Ericson said there is a significant need at this point to provide more assistance to the elected officials and department administrators. The position was unfunded in March of 2022 to go through the end of this year fiscal year, but they are seeking approval to re-fund the position for the remainder of this fiscal year at an approximate cost of \$24,000. The PA has \$322,000 in unspent "A" budget monies for salaries and benefits. A candidate has accepted the job offer with a scheduled start date of July 31st. An updated job description is being prepared and they hope to have it complete within the next month. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the re-funding of the Deputy Prosecuting Attorney II - Civil Division position, PCN 554. (Resolution No. 23-183.) The meeting concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B), (D) AND (F) REGARDING PERSONNEL MATTERS, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 10:30 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, Chief Operating Officer Greg Rast, HR Director Kate Rice, HR Generalist Kendra Elgin, Clerk Chris Yamamoto, Director of Court Operations Jess Urresti, Marshal James West, Marshal Todd Wilcox, Chief Civil Deputy PA Carl Ericson, Administrative District Judge Davis VanderVelde, and Andrea Powers from the Idaho Supreme Court, Sarah Omundson from the Idaho Supreme Court. ADJ Vander Velde left at 10:37 a.m. Kevin Alvarez arrived at 10:58 a.m. and left at 11:21 a.m. The Executive Session concluded at 12:56 p.m. with no decision being called for in open session.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Prime Construction Asphalt in the amount of \$1,575.00 for the Facilities department (PO #5657)

FY2024 BUDGET REVIEW/WORKSHOPS

The Board met today at 9:02 a.m. for FY2024 budget review/workshops. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Accountant Sarah Winslow, Director of Juvenile Detention Sean Brown (left at 9:20 a.m.), Assistant Director of Juvenile Detention Shawn Anderson (left at 9:20 a.m.), Sr. Administrative Specialist Sue Britton (left at 9:20 a.m.), Facilities Director Rick Britton (left at 9:20 a.m. and rejoined the meeting at 10:26 a.m.), Director of Juvenile Probation Elda Catalano (arrived at 9:06 a.m. and left at 9:54 a.m.), Director of Misdemeanor Probation Jeff Breach (arrived at 9:29 a.m. and left at 10:03 a.m.), Fair Director Diana Sinner (arrived at 9:58 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

Juvenile Detention

COO Rast provided Director Brown with the questions noted below and today's workshop with the Juvenile Detention department centered on the following discussion topics:

Revenues

1. No Questions, FY2024 Daily Rates for other Counties were vetted and understood on your calculations.

A Budget – Personnel

1. No Questions on budget, no new position requests.
2. How long have you had funding from the state for Clinician Services?
 - Could you use a Clinician if it was funded through state money from
 - Juvenile Probation if you lost that funding?

Position has been funded since 2009. Director Brown said this has been going well with funding to all the detention centers. If he were to lose that position it would need to be refilled. In regard to using a clinician through Juvenile Probation funded with state funds he said he would be able to use that. He indicated that if there were a person already in place it could be helpful when the Juvenile Detention clinician is out for sick or taking vacation time. Discussion ensued regarding the qualifications necessary for a clinician to work in the detention center.

B Budget - Expenses

1. 545506 Gasoline and Oil - \$1,000 - Remove amount, no transfer needed
2. 545502 Mileage - Transfer to Fleet, Zero out

3. 548400 Miscellaneous - \$2,500 (What is this for?) – *mainly used for GED program and gym equipment*

General Questions

1. Facilities – Confirmation? FY2024 Request (Detention Door Locks / Windows and all needed expenses associated to cover the project): *There are 3 projects - detention door locks, windows to be replaced and epoxy painting in some cells. Total budgeted is \$24,121 which will be included in the Facilities budget.*

2. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?

a. 577100 Computer Equipment – \$21,200

Proposed change of an increase of \$6,000 for a total of \$27,200 (Redundancy): *\$6000 will be added to this budget for redundancy storage for the camera system. The Board is supportive of this increase.*

Juvenile Probation:

COO Rast provided Director Catalano with the questions noted below and today's workshop with the Juvenile Probation department centered on the following discussion topics:

Revenues

1. 334169 SUDS Revenue drop from 50,000 to 25,000? Just a follow up question: *Director Catalano gave history of the SUDS contract coordinator. Reimbursement is for the work done by a Juvenile Probation employee relating to the SUDS program. There is no direct expense due to the work being done by a county compensated employee. The state will reimburse any hours spent by the employee working on the program.*

A Budget – Personnel

1. \$70,000 - Current Request for Entry Level Juvenile Probation Officer I

- Assessment – Rate from 0-10 (10 being critical) – If this position is a critical need, please discuss what happens if not approved. *This position is critical because they will help manage the case load numbers and avoiding staff burnout.*

- Do you have space and would Facilities need to do anything to accommodate? *No. space is available and equipment has been budgeted for.*

2. Add in a Clinician Position Paid out of State Money for Juv. Programs? *State funds, ideally, the lottery division. \$97,000 would need to be budgeted for salary and benefits.*

- Discuss the purpose, need, and potential pressures from the PA Office for the position. *They have specialized training in probation, help with monitoring and evaluation of kids coming into the system.*

- Do you have this HR/Market data to add to FY2024 Budget Request.

- Do you have space and would Facilities need to do anything to accommodate? *Space is available. Controller Wagoner noted that any new positions would be a draw on property taxes.*

B Budget – Expenses

1. 521131 Juvenile Justice SUDS - Shouldn't that match the \$25,000 (Revenue at \$25,000): *This was addressed as part of the discussion earlier.*
2. 545506 Gasoline and Oil - \$17,000 - Remove amount, no transfer needed
3. 554430 Auto Repair Supplies - \$10,000 - Transfer to Fleet's Budget
4. 684330 General Vehicles - \$96,000 - Move to Fleet as County Expense

General Questions

1. Explain to the BOCC what happens if state monies aren't fully spent in fiscal year, do you lose the funds or keep the balance? *The county requests to keep the money and any unspent funds are rolled to the next fiscal year.*
2. Also, do you feel by moving auto related expenses and adding a needed Clinician, will you use all the state monies in FY2024?
3. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?

Commissioner Van Beek suggested adding \$1000 to line 548400 for incidentals. Commissioner Holton asked if there was the possibility of sharing a clinician with Juvenile Detention and Commissioner Brooks suggested the two directors work together to ensure their needs for a clinician position would be compatible. Based on a question from Controller Wagoner, Commissioner Van Beek said she is still in favor of adding both the Juvenile Probation Officer I position and Clinician position to the budget, she is also in favor of moving the vehicles.

Misdemeanor Probation:

COO Rast provided Director Breach with the questions noted below and today's workshop with the Misdemeanor Probation department centered on the following discussion topics:

Revenues

- 1.No Questions: *At this time there will be no change to the fees.*

A Budget – Personnel

1. No Questions on budget, no new position requests.

B Budget - Expenses

1. 545506 Gasoline and Oil - \$1,000 - Remove amount, no transfer needed
2. 545502 Mileage - \$150.00 - Transfer to Fleet, Zero out

As instructed by the Board, with the exception of mileage, Controller Wagoner will leave line items as-is until the Board can have further policy discussion.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?

County Fair:

COO Rast provided Director Sinner with the questions noted below and today's workshop with the County Fair department centered on the following discussion topics:

Revenues

1. 334154 Capital Grants - \$500,000 (Is this related to the Purchase vs Rent Equipment discussion on the first workshop) – Urban Renewal Money? *This was added after the initial budget meeting and is related to URA funds. Not all URA funds will be spent in FY23 and approximately \$500,000 will remain to be rolled to FY24.*

A Budget – Personnel

1. No Questions on budget, no new position requests.
2. Discussion: Succession Planning (New Request) – *There is a staff person that will be continuing employment with the Fair and Director Sinner would like to upgrade their position into a succession planning role, possibly Assistant Director. The Marketing and Sponsorship position would be the changed position which would require a salary change. The Board instructed Controller Wagoner to increase the FTE line by \$20,000.*

B Budget - Expenses

1. 531107 Gasoline and Oil - \$2,500 - Remove amount, no transfer needed
2. 534410 Fair Equipment Rentals – \$150,000 - Needed if \$500,000 is approved on 683340 (Are these the same use?) – Reduce amount if needed? *\$500,000 is related to URA, not equipment rentals. Discussion ensued regarding investing in equipment vs. renting. Director Sinner said there has been recent conversation with the Caldwell Mayor regarding ownership of the property between the expo center and the stadium, if the county is interested in owning part of that. If that is the case, there would then be the opportunity for infrastructure to be added. The Board would like to have further discussion with legal staff regarding use of the URA funds for some of these items.*
3. 545502 Mileage - \$500.00, Transfer to Fleet, Zero out
4. 548400 Miscellaneous - \$1,000 - What is this used for? *Unforeseen expenses.*
5. 554401 Building Supplies and Materials - \$15,000 - Transfer to Facilities? *This is for something budgeted in Fair but purchase is initiated from the Facilities department. The Board is in favor of moving funds to the Facilities budget.*
6. 684376 Misc. Equipment – \$18,000 Utility Vehicle is Included? Should this be moved to Fleet for inventory – *Amount is recommended by Director Tolman, Director Sinner is supportive of this moving to the Fleet budget. Board is in favor of this change.*
and maintenance. (Director Tolman recommended – Can-Am in his recommended procurement list)
~~7. 554401 Building Supplies & Materials – \$15,000 – Move to Facilities? Duplicate of question no. 5~~
8. 554402 Ground Maintenance Supplies - \$15,000 - Move to Facilities? *This is for something budgeted in Fair but purchase is initiated from the Facilities department. The Board is in favor of moving funds to the Facilities budget.*

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?
- a. General Update on Flooring FY2023 purchase for the fair, any ongoing expenses related to that expenditure

Commissioner Brooks made a motion to recess.

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:38 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Fair Director Diana Sinner, Facilities Director Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

- Consider Entertainment Contract with Banda Maguey for the 2023 Canyon County Fair
- Consider Parking Lot Rental Agreement with Caldwell Bowling Center, Inc. during the 2023 Canyon County Fair
- Consider Entertainment Contract with Muletrain for the 2023 Canyon County Fair
- Consider Performance Contract with Neste Event Marketing, LLC for the 2023 Canyon County Fair

Director Sinner gave brief descriptions of each of the contracts and what each vendor provides. Mr. Wesley said that the contracts with Muletrain and Caldwell Bowling Center, Inc. are standard contracts and prepared by the county. The contracts with Banda Maguey and Neste Event Marketing, LLC are mainstage agreements and prepared by the artist/marketing company. They are different from what the county prepares but due to them being international organizations the county is subject to their requirements. Mr. Wesley provided a brief review of the contract. Commissioner Brooks made a motion to sign the contracts with Banda Maguey (agreement no. 23-079), Caldwell Bowling Center, Inc. (agreement no. 23-078), Muletrain (agreement no. 23-077) and Neste Event Marketing, LLC (agreement no. 23-076) for the 2023 Canyon County Fair. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY, 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 10:49 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (f) regarding acquisition of an interest in real property, records exempt from public disclosure and 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, Fair Director Diana Sinner, Facilities Director Rick Britton and COO Greg Rast. The Executive Session concluded at 11:21 a.m. with no decision being called for in open session.

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

PUBLIC MEETING TO CONSIDER A RESOLUTION GRANTING FEDERATED ORDNANCE, LLC, A PROPERTY TAX EXEMPTION, PURSUANT TO IDAHO CODE, SECTION 63-602NN

The Board met today at 11:22 a.m. for a public meeting to consider a resolution granting Federated Ordinance, LLC, a property tax exemption pursuant to Idaho Code Section 63-602NN. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Caldwell Mayor Jarom Wagoner, Steven Jenkins with the City of Caldwell, Ryan Jacobson and a representative from Federated Ordinance, LLC, other interested citizen and Deputy Clerk Jenen Ross. Mr. Jenkins provided a background of his involvement with this project over the past two years speaking favorably about the wages they'll provide, number of employees they'll be bringing to Canyon County, about their intent to expand which could provide additional opportunities and the diversity in industry this company brings. The City of Caldwell is fully supportive of this tax exemption. Mr. Jacobson gave a background of the company and what they do, the number of employees they employ and possible expansion. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution granting Federated Ordinance, LLC, a property tax exemption pursuant to Idaho Code 63-602NN (see resolution no. 23-184). The meeting concluded at 11:35 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 BUDGET REVIEW/WORKSHOPS FOR: HUMAN RESOURCES DEPARTMENT, DEVELOPMENT SERVICES DEPARTMENT, FLEET DEPARTMENT, AND FACILITIES AND WEED & PEST DEPARTMENT

The Board met today at 1:32 p.m. for an FY2024 budget review/workshop for the following departments: Human Resources; DSD; Fleet; and Facilities and Weed & Pest. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, HR Director Kate Rick, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, Fleet Director Mark Tolman arrived at 1:43 p.m., Keri Smith arrived at 1:46 p.m., DSD Director Sabrina Minshall arrived at 1:53 p.m., DSD Officer Manager Jennifer Almeida arrived at 1:56 p.m., DSD Planning Official Dan Lister arrived 2:09 p.m., Facilities Director Rick Britton arrived at 2:16 p.m., Facilities Manager Becky Kearsley arrived at 2:38 p.m., and Deputy Clerk Monica Reeves. The department workshops were as follows:

Human Resources Budget:

COO Rast provided Director Rice with the questions noted below and today's workshop centered on the following discussion topics:

A Budget – Personnel

1. Overall discussion on A Budget is needed - In the first Workshop the A Budget was not complete.
 - She is requesting an extension of the HR Investigator's hours from 25 hours per week to 30 hours per week due to increased workload. (It will be a three-quarter fulltime employee)
 - Requesting a new Position Risk and Safety Manager - Assessment of the criticality: 8, It's not mission critical, but there are number of workers comp injury cases that this new position would follow up and track and it help us improve our safety culture and reputation and get information to employees so they are aware of safety and the need to operate within safety standards. Last year the premium was about \$750,000, but with someone focused on the risks and safety we would be able to reduce the number of accidents and of critical accidents, thereby reducing the workers comp expenses and the premium. Commissioner Van Beek agrees that the position is needed.

B Budget - Expenses

1. 521120 Misc. Professional Services - Requesting \$10,000 for the ADP onboarding module.
2. 533310 Copiers Contract - An adjustment can be made because Director Rice said the department will reduce the number of click counts because with the ADP module they will not be printing as much.
3. 542203 Cellular Phone - \$2,000 - Currently the HR Investigator's phone is the only expense, but HRD Rice would like to offer the Risk and Safety Manager a cell phone.
4. 543305 Postage - Average roughly \$1400 (COO Rast recommended an adjustment to \$1500)
5. 545502 Mileage - \$100, Transfer to Fleet, zero out
6. 546635 Subscriptions - FY2023 \$5,000 - YTD \$4,800 - FY2024 \$0.00. They no longer need or use their annual subscription resource she recommends it be zeroed out.
7. 548410 Health Maintenance - Renamed to Employee Wellness and it was reduced from \$20,000 to \$2,000 because the move from Flores to Peak One resulted in a cost savings. HRD Rice wants to offer an inhouse Type II Diabetes prevention course.

General Questions

Employee Appreciation adjustment discussion. HRD Rice wants to work with CCSO PIO Decker and the Director of Constituent Services to coordinate event dates. There was discussion regarding training for employees.

The HR Dept workshop concluded at 2:01 p.m.

Development Services Department Budget:

COO Rast provided Director Minshall with the questions noted below and today's workshop centered on the following discussion topics:

Budget - Expenses

1. 577110 Software - Discussion to move Project Docs and the Code Enforcement Clear software costs to 533301 Service Contracts for ongoing support.
2. 545506 Gasoline and Oil - \$28,000 - zero out/move to Fleet
3. 554490 Misc Supplies – \$2,352.00 (Hearing Devices) - BOCC/Public Meeting Room - Zero out the line item because IT has funds for this built into the budget to maintain these two areas for audio/visual. COO Rast said the total solution will cost more than \$2,300.
4. 684340 Trucks and Pickups - \$100,000 - Zero out and move expenses to Fleet (2 - Vehicles)

A Budget – Personnel

1. 413080 - Itemize this request \$111,516. PowerPlan explains the plan, but the request doesn't itemize this request. Please discuss the proposed changes that equal 111,516, is project compensation included in this number? Compensation is pending HR recommendation. The original proposed amount from the Clerk and Controller for salaries (\$2,009,727) was lower than her lower FY2023 approved budget (\$2,076,254). She has six positions that have been underfilled but it's not a good practice to underfill unless we have no choice and unless we have a clear path that we are bringing somebody in here and how are we going to get them here in a short period of time. It is part of why she will bring more information about reorganization and personnel in an executive session next week. Director Minshall reviewed her plans for reorganization/repurposing salary detail. There are plans for an executive session to discuss reorganization in DSD. She is suggesting 32 fulltime positions instead of 33. Options that would change revenue and expenditure.

The DSD budget workshop concluded at 2:16 p.m.

Fleet:

COO Rast provided Director Tolman with the questions noted below and today's workshop centered on the following discussion topics:

Revenues

1. 369151 Fuel Reimbursement - \$525,000 - Remove - Consolidate of County Fuel will be treated as expenses with no charge backs to individual budgets.
2. Discussion - Add revenue lines to capture true cost.
 - Insurance Reimbursements
 - Add placeholder amount of \$50,00 on revenue, and \$150,000 on the expenditure side
 - State, Grants, & Other Received Funds
 - Auction Revenue
 - Add revenue to Fleet budget

A Budget – Personnel

1. 413050 - Requesting \$20,000 for a part-time technician and office assistant.
2. Overall A Budget - Proposed FY2024 seems to be underfunded by \$65,000 compared to FY2023 amended. Controller Wagoner will correct that error.

B Budget - Expenses

1. 533301 Service Contracts - Status of Vehicle GPS Tracking Device Procurement and Implementation? Can some devices be purchased in FY2023 with any savings within the Fleet Budget? Director Tolman said the devices are being added out of this year's budget. For next year he added \$15,000 to the line item to cover 58 units.
2. 545509 County Fuel - \$525,000 - Discussion - Increase to \$600,000 to capture individual costs with diesel and reimbursements. Excluded (Landfill/Solid Waste – Enterprise fund and they maintain their own fuel tanks onsite). Weed and Pest line item of \$14,000 for fuel. Director Tolman wants to get a true picture of the fuel being used for that department. Canyon Highway District will be asked to send the fuel bill for the Weed and Pest Department to Director Tolman. The fuel line will be increased from \$525,000 to \$539,000.
3. 548400 Miscellaneous - \$6,000 - This expense is for the fuel system and the car wash system. Director Tolman wants to rename the line item to fuel/wash system maintenance, with \$5,000 and the other \$1,000 for miscellaneous. Controller Wagoner asked if there is an existing line item that could be used rather than creating another one? There is a miscellaneous maintenance services line that Director Tolman uses for alignments, outsourced repairs, and specialty repairs. The Controller prefers to see it in a line item that already exists. Miscellaneous Maintenance services - leave \$1,000 in misc. line, and the Fleet misc. maintenance will go to \$9,000.
4. 545502 County Mileage - Add and fund Fleet Department with the consolidation of mileage reimbursement expenses. - With new Vehicle Use Policy and Driver's License quarterly checks

(Fleet/HR), this ensures proper and approved drivers are being reimbursed. Discussion - Run County actual expenses for last three fiscal years and add 10% for consolidation purposes. Director Tolman wants to make sure people are showing insurance when using personal vehicles and that they have looked at the option of a motor vehicle before using their personal vehicles. COO Rast said with the new vehicle use policy we are doing driver's license checks and we want to make sure we are paying out mileage reimbursement to those who are qualified to drive a County vehicle, especially if it's tied to their job description to drive for work. Controller Wagoner said the appraisers use their own vehicle and they will submit a claim form that goes to Mark to review and verify, then it goes to the Auditor to be processed. Commissioner Brooks asked why the Assessor doesn't get a fleet vehicle. Director Tolman said that's what he will get a handle on. Controller Wagoner said it may cut down on the paperwork, but he doesn't know what it will do on the expenditure side, it depends on how often the appraisers need the vehicles and how much access they have to fleet vehicles. Director Tolman said there hasn't been a time this year that a motor pool vehicle has not been available. In most cases there is a savings in the use of a fleet vehicle versus reimbursing at the federal reimbursement rate for mileage. Commissioner Brooks said there is a much greater liability of someone driving a personal vehicle versus a motor pool vehicle. The Controller asked why we're paying mileage if there is so much savings, and if a fleet vehicle is available why are we paying mileage? Commissioner Holton said an issue has been identified and there is a mechanism to deal with it; the Board is not doing this to create a problem, it's doing it to create efficiency. COO Rast suggested we look at the expenses for the last three years and add 10%.

5. 684330 General Vehicles – Motor pool Related Costs stay in this budget line item.

1 – Motor pool vehicle addition for checkout and County use.

6. 684xxx County Vehicles - Discussion - Add an expense line item to consolidate all vehicle requested purchases including tractors, UTV, and anything Fleet has expenses to maintain.

- Total request \$1,341,000 for new vehicles and equipment - 26 Requests
 - Sheriff – 16 Vehicles (14-Patrol includes 4 new proposed deputies on duty, 2-CID)
 - DSD – 2 Pickups
 - Juv. Probation – 2 Vehicles
 - Facilities – 2 Pickups
 - Prosecuting Attorney – 1 Vehicle
 - Weed/Pest – 1 Vehicle
 - Fair – 1 UTV
 - **Excluded:** 1-Landfill / Solid Waste (Enterprise Fund)

The Fleet budget workshop concluded at 3:08 p.m.

The Board took a break from 3:09 p.m. to 3:12 p.m.

Facilities budget workshop began at 3:15 p.m.

COO Rast provided Director Britton with the questions noted below and today's workshop centered on the following discussion topics:

Courthouse Revenues

1. No General Questions, No Revenue

2. Discussion regarding adding ARPA funds for associated expenses. Director Britton has had conversations with the Chief about where we are with ARPA funds, totaling \$38,610,224, for upcoming projects:

Animal shelter warehouse - \$4.1 to \$4.4M for projected costs

Ambulance district - allocated \$2.5M

Elections building - \$4.1M for projected costs

Sheriff's administration building – potentially allocate \$26M to \$27M, depending on where the other project costs fall

The costs are estimates until contracts are in place and we have a maximum price. Controller Wagoner said we have an entirely separate and distinct ARPA fund that helps with reporting and the outside audit and there's a tremendous amount of review that goes into the expenditure of federal monies and it's helpful to have it in its own separate fund. It's best to keep it in its own separate fund to help greatly with reporting and transparency. We need to identify the funds to be paid for with ARPA dollars and put them in a separate accounting fund. It would be outside the Facilities budget but it would be under Director Britton's control, authority, and review but from an accounting standpoint it would be a different chart of accounts so we know this is ARPA specific.

3. Discussion - Remove 369158 materials reimbursement due to consolidation. COO Rast said the Sheriff's Office had plans for a \$450,000 modular unit at Lake Lowell to house deputies, but they will put it on the backburner since the potential CCSO administration building costs are coming in higher than anticipated.

Courthouse A Budget – Personnel

1. A Budget appears to be underfunded by \$213,681 from FY2023 Amended to FY2024 Requested. Director Britton doesn't know why it's underfunded. Controller Wagoner said he is not seeing where it's short, but payroll is constantly changing so he can double check and make sure we have the most up-to-date information based on recent changes.

2. (5) New Position Requests – (2) Fair Maintenance and Grounds / (2) Housekeeping / (1) Project Manager/Owner's Rep. Director Britton explained the need for additional staff to maintain the Fair, lake, parks, and County campus properties. The project manager/owner's rep will assist Director Britton who has recently taken over the Weed and Pest Department.

Courthouse B Budget - Expenses

1. 533314 Animal Shelter maintenance - \$100,000 - zero out and move to the Animal Shelter budget. Discussed upcoming and future projects for the shelter (roof replacement, HVAC units, washer and dryer).

2. 554401 Building Supplies and Materials - \$70,000, increased from \$60,000 - Is this enough for all requested remodels/cabinetry/facility services by Offices and Departments in FY2024? - Do we move Fair Building Supplies and Materials Budget of \$15,000 into Facilities? The \$70k,000 is to maintain the buildings. He summarized the FY2024 projects for offices and departments (a copy of the list is on file with this day's minute entry.) For elected offices the total budget for projects is \$957,750 (less the \$450,000 for the Sheriff's substation at Lake Lowell). There was discussion on whether some of the projects could be covered with ARPA funds. Parks Director Nicki Schwend spoke about the parking issues at Lake Lowell. Clerk Yamamoto said we need to get a handle on the numbers and have placeholders until it's sorted out. The total budget for FY2024 projects requested by department administrators is \$205,321. Director Britton asked if the Board wants to allocate those funds into the 554401-line item for building supplies and materials, or does it want to start a new line item? Controller Wagoner said in certain instances we will need to track individual projects because they will end up as assets so we may need to use different codes and so he will work with Director Britton and evaluate what projects will be in what line items. Regarding the TCA courtroom project, the Controller said we should use the state court facilities fund to pay for that instead of using property tax. Commissioner Holton agreed and said it will need to be charged back to the TCA. Controller Wagoner said it will need to be budgeted in the court facilities fund and expensed from there. Commissioner Holton agreed and said the TCA should be taken out and enumerated in some manner that it will be back-charged to the court. COO Rast asked about the HVAC projects for the departments and stated his concern for having them spread throughout multiple budgets. Commissioner Van Beek wants those expenses in the Facilities budget.

Because the Board has a 4:00 p.m. with the ambulance district it decided to continue the remaining portion of the Facilities budget and the Weed and Pest budget to a later date. The Facilities budget workshop concluded at 4:03 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER A NOTICE OF LIEN FOR 5903 OAK STREET IN NAMPA

The Board met today at 3:12 p.m. to consider a notice of lien for 5903 Oak Street in Nampa. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Facilities Director Rick Britton, Facilities Office Manager Becky Kearsley, and Deputy Clerk Monica Reeves. Director Britton said proper notification has been given to abate the property which has become a fire hazard with weeds, etc. They sent certified letters and staked a notice in the yard but the owner did not comply so a contractor was hired to complete the work last Saturday. The

County will pay the contractor for the abatement and will invoice the owner and he will have 30 days to pay it but if he doesn't pay the County will issue a lien. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the notice of lien for the property located at 5903 Oak Street in Nampa. The recorded lien (Instrument No. 2023-022752) is on file with this day's minute entry. The meeting concluded at 3:15 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM

CALDWELL, IDAHO JULY 18, 2023

FY2024 BUDGET REVIEW/WORKSHOPS

The Board met today at 9:06 a.m. for FY2024 budget review/workshops. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, Parks Director Nicki Schwend (left at 9:48 a.m.), Solid Waste Director David Loper, Facilities Director Rick Britton (left at 9:48 a.m.), COO Greg Rast, Assistant Director of IT Eric Jensen (arrived at 9:26 a.m. and left at 10:14 a.m.), Solid Waste David Loper (arrived at 9:53 a.m.) and Deputy Clerk Jenen Ross.

Parks, Cultural and Natural Resources - 9:06 a.m. to 9:47 a.m.

COO Rast provided Director Schwend with the questions noted below and today's workshop regarding the Parks, Cultural and Natural Resources department centered on the following discussion topics:

Revenues

1. No Questions

A Budget – Personnel (6 FTE) and (Seasonal and Part Time Staff)

1. Asking for 2 new positions

- Park Supervisor (Celebration Park)
- Historic Preservation Officer

Commissioner Holton stated he is supportive of the two new positions.

B Budget – Expenses

- 531107 – Gasoline – \$6,000 – Move to Fleet
- 554401 – Building supplies/maintenance –\$10,000 – Preference on Parks vs Facilities Budget?
- 554402 – Ground Maintenance supplies – \$44,000 – move to Facilities?
- 554403 – Building and maintenance – \$15,000 – move to Facilities?
- 554410 – Janitorial Supplies – \$8,000 – move to Facilities?
- 577100 – Move Panic Buttons to IT or Facilities? - \$1,700 Discussion
- 682270 – Capital construction contracts – Move to Facilities?
 - HVAC System for Museum Mezzanine – \$18,000

- Window Actuators Museum – \$26,000
- 683340 – Other Improvements – \$225,000 – Celebration Park Decking
- Move to Facilities?

Following discussion, it was decided all the line items would remain in the Parks budget for the time-being with further conversation to follow regarding the maintenance and building line items.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?
2. Gun Range Topics of Discussion and Potential Revenue Source? *A Board meeting was held recently and several projects have been discussed; the budgeted amount is sufficient for the time-being. Ideally, the gun range would be self-sufficient in 4 to 5 years.*
3. Revenue generating for Celebration Park/dormitories?

Grant monies will be kept in their own fund for tracking purposes.

Information Technology - 9:48 a.m. to 10:13 a.m.

COO Rast provided the questions noted below and today's workshop regarding the Information Technology department centered on the following discussion topics:

Revenues

1. No Questions / Limited Revenue

A Budget – Personnel (36.5 FTE)

1. Asking for (1) new position – \$76,000 + Benefits = \$104,140 – Programmer Analyst II, *this is based on a request by the Treasurer and Assessor and there is really a great need for this position.*

B Budget – Expenses

577138 – Communications Equipment – Adjust \$60,500 to \$65,000

- Move DSD Expense to IT – Administration Public Meeting Room ADA Hearing Devices – Wireless (\$4,500)

548400 – Miscellaneous – Zero out and move expense to new Expense line 554445 Uniforms – \$1,000

554405 – Security Systems – Account used to fund unexpected security expenses including panic buttons, camera heads, server storage, and replacement servers as needed for video surveillance.
- Panic Button Installation for Celebration Park can be fulfilled in this line item.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?
 - a. Fiber Projects will leave expenditure in Facilities to ensure ARPA funds will be used.
 - i. Warehouse

- ii. Elections
- iii. CCSO Administration Building
- iv. TBD – Lake Lowell Modular Office – CCSO Deputy Staffing on Location

b. GIS Help? – Elections – *one person would be needed to oversee this section of GIS; could be a Clerk or IT position.*

c. Budget increase of \$238,355 – *due to the need for additional storage and increases to service contracts; the majority of increase is on the A side of the budget.*

The Board went off the record from 10:14 a.m. to 10:23 a.m.

Solid Waste - 10:23 a.m. to 10:53 a.m.

COO Rast provided Director Loper with the questions noted below and today's workshop regarding the Solid Waste department centered on the following discussion topics:

Revenues

1. Will Revenues stay flat? *Discussion ensued as to whether the projected revenue should be reduced. One consideration is to use the FY23 revenue number and reduce it by 5%. Director Loper indicated that there will probably be an evaluation of the fees during FY24 and discussion ensued regarding the impact this may have on the revenue portion of the budget.*

A Budget – Personnel (30 FTE)

1. No Questions, no new staff request
2. FY2025 – Proposed Succession Planning or more Office Administration Help. Is this still the plan? *One new FTE may be requested in FY25.*

B Budget – Expenses

All Items were adjusted from first workshop:

361101 – Interest on Savings – Change from \$250,000 to \$300,000

382752 – Equipment – Change from \$235,000 to \$250,000 (Equipment Projected Sale)

683340 – Other Improvements – Hardscape – \$350,000

No Other Questions:

No consolidation of Fuel, Mileage, Equipment, or Facilities funding.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?

a. Will a fee increase be proposed in FY2024?

b. Confirm that hardscape curbing price is same and included? *Vendor honored original quote of \$326K.*

Director Loper would like to add \$25,000 to education/training for certain personnel to attend ongoing annual training.

The meeting concluded at 10:53 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING ADDENDUM NO. 1 FOR ARCHITECTURE/ENGINEERING SERVICES FOR THE CANYON COUNTY SHERIFF'S OFFICE BUILDING PROJECT; AND ADDENDUM NO. 1 FOR CM/GC SERVICES FOR THE CANYON COUNTY SHERIFF'S OFFICE BUILDING PROJECT

The Board met today at 1:24 p.m. to consider signing Addendum No. 1 for **Architecture/Engineering Services** for the Canyon County Sheriff's Office Building Project; and Addendum No. 1 for **Construction Manager/General Contractor Services** for the Canyon County Sheriff's Office Building Project. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Sheriff Kieran Donahue, Facilities Director Rick Britton, Deputy PA Oscar Klaas, Captain Chuck Gentry, Captain Harold Patchett, Lt. Martin Flores, other interested persons, and Deputy Clerk Monica Reeves. Deputy PA Klaas said both RFQ's for the services have running concurrently and the same questions and same answers are being issued for both projects since the prequalification meetings were held together. He noted that the addendums are being signed one day earlier than the published schedule, but it won't affect the calendar of events listed in the RFQ. Commissioner Van Beek said she spoke with Alex Adams who is the financial advisor for the Governor and handles a lot of the ARPA policy. As we get ready to move forward Mr. Adams' position is that anything over \$10M needs to have a worksheet calculation to quantify the rest of the revenue we want to receive, and in the absence of that it will be an oversight and due diligence will need to be in place so there is no "back claw" from the Treasury. She said Mr. Adams said while those guidelines have relaxed a lot in order to protect the County financially the Commissioners should have that information before moving forward with funding it with that. Commissioner Van Beek asked if there are calculations from the Controller? Deputy PA Klaas said it's his understanding the County plans to utilize revenue replacement funds from the ARPA and the building of a Sheriff's office building would fall squarely under the definition of a public use so he doesn't think there is any impediment for the County to go ahead. As revenue replacement it is more than just the infrastructure, it's a different category of ARPA funding. Commissioner Van Beek said it's not a problem up to \$10M, we need to justify the other "x" number of millions after the first \$10M that qualifies that. COO Rast said that's a bigger discussion with the Clerk and Controller. Director Britton said he and Deputy PA Klaas have communicated with the Controller about the funds and he said we are able to use the funds for the Sheriff's building. Commissioner Van Beek said Mr. Adams said the Treasury should be noticed on the intent and put a deadline on when the response is required and then if there's any question on the audit of those funds for revenue replacement they need to see the revenue replacement calculation worksheet for anything over \$10M. Commissioner Holton recognizes what Commissioner Van Beek is saying but said it's outside of today's procedure and when we need to be at that step we can be sure we have our I's dotted and T's crossed. Commissioner Van Beek said the contractors and architects will want guaranteed payment and so this would be the step for guaranteed payment. Commissioner Brooks made a motion to approve Addendum No. 1 for Architecture/Engineering Services for the Canyon County Sheriff's Office Building Project; and Addendum No. 1 for CM/GC Services for the Canyon County Sheriff's Office Building Project. Commissioner Van Beek seconded the motion for

discussion and said she wanted her discussion points noted on the record. The motion carried unanimously. The meeting concluded at 1:31 p.m. An audio recording is on file in the Commissioners' Office.

FY2024 BUDGET REVIEW/WORKSHOPS FOR PUBLIC DEFENDER DEPARTMENT, COUNTY AGENT, AND TRIAL COURT ADMINISTRATOR

The Board met today at 1:33 p.m. for an FY2024 budget review/workshop for the following departments: Public Defender Department; County Agent; and Trial Court Administrator. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, Public Defender Aaron Bazzoli, County Agent Tasha Howard, Acting Trial Court Administrator Benita Miller, Deputy TCA Laura Kiehl, Chief Marshal James West, Jury Commissioner Christina Jeffs, other interested persons, and Deputy Clerk Monica Reeves. HR Director Kate Rice arrived at 2:25 p.m. ADJ Davis VanderVelde arrived at 2:28 p.m. The workshops were as follows:

Public Defender Budget:

COO Rast provided PD Bazzoli with the questions noted below and today's workshop centered on the following discussion topics:

Revenues

1. [How much will Canyon County be receiving from the PDC? Revenue numbers were at \\$0.00 at last meeting and remain \\$0.00.](#) Mr. Bazzoli said the number is \$3,482,372. Controller Wagoner said we need to separate the two sources of cash; we have the PDC grant money and a share of sales tax money. This year's PDC grant was \$1.1M, and in addition to that for a full fiscal year there should be \$4.6M from sales tax provided by the state. There is also repayment revenue that's averaged \$200,000 a year.

A Budget – Personnel (52 FTE)

1. [Is there an update from the PDC on the funding of a new Attorney?](#) Mr. Bazzoli doesn't believe he will receive funding from the PDC for a new attorney. If they do not fund a new attorney he will not seek one through the County.

2. [Mentioned in budget letter – \(2\) Staff going from DPD I to DPD II – Is that accounted for in the salaries and benefits?](#) Mr. Bazzoli has communicated with HR and the Controller about this. In a year from now his employees will become state employees and will join into different pay bands that the state uses.

B Budget – Expenses

[548512 – Legal Research Fees – Please verify amount of request for FY 24 on legal research fees. Notes show \\$43,000. Power Plan shows \\$3,625.](#) Mr. Bazzoli said the \$3,625 amount is in error. He is in the process of renegotiating the contract to reduce the cost and wants to keep it at \$43,000 for one more year.

548012 – Interpreter Fees – (FY2023 actuals \$2,866) (FY2023 budget \$2,000) – How do you use interpreter fees? In court or direct client communications? Mr. Bazzoli explained how the PD office uses interpreters outside the courtrooms.

577100 – Computer Equipment – Prefer to keep expense to keep equipment up to date through 2025 - 2029. \$35,000 is currently budgeted for 13 standard desktop computers, 9 laptops, and printer copiers.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?

a. Who schedules interpreters? Is it first available or is there negotiation on price/availability?
b. Is there an interpreter pool resource?

c. Is there an update in vacation payout? Who is responsible: state or county? Mr. Bazzoli said last year the amount was \$250,000 and he estimates this year's amount would be close to that. There was discussion about how this will be handled when employees transfer to the state. Controller Wagoner said the hours were accumulated while they were County employees and he said there was a circumstance a few years ago where jail nursing transitioned to a private contract and the County paid out vacation balances, and so it's likely the County will be on the hook some way financially for that liability. Commissioner Holton said the employees should be encouraged to not wait until the last year to do it because there are tax implications. Mr. Bazzoli said employees will be encouraged to use their vacation time. It's likely their sick time will go away when transferred to the state, and he has addressed this issue with the Governor's Office because it doesn't seem fair to the employees.

d. Is there an update on value per square foot on occupied space? Check with the Facilities Director on this topic.

The Public Defender's budget workshop concluded at 1:58 p.m.

County Agent Budget:

COO Rast provided Ms. Howard with the questions noted below and today's workshop centered on the following discussion topics:

Revenues

1. No Questions

A Budget – Personnel (3 FTE)

1. **Requesting 3% Salary Compensation.** Ms. Howard said it's a general metric given by the University of Idaho and although the three positions are County positions that's what's recommended by her supervisor when calculating salaries. Commissioner Holton said the

County has not yet calculated salary compensation but it will be coming. Ms. Howard reviewed the pay levels for her staff.

B Budget – Expenses

1.554401 Building Supplies and Materials – \$11,500 – Move to Facilities

- o Convert Grid and LED Lighting – \$7,500

- o Divider Wall to separate conference room – \$4,000

2. 545502 Mileage – **Discussion** – \$17,700 (Consolidate or Not/Fleet) The mileage reimbursement is for 6 potential positions. Commissioner Brooks asked if there is a legal reason Ms. Howard and her staff have to use their personal vehicles rather than a fleet vehicle. Ms. Howard said it's her understanding there are legal issues because there are only 3 County employees, the rest are supervised by the U of I. Perhaps she could look at other jurisdictions and see how they handle it. They received a grant so they could reduce the 4-H mileage by \$1,500 for this fiscal year. There was discussion regarding staff travel, and how the MOU between the County and the U of I is coming up for renewal and the travel language could be reviewed.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments? Controller Wagoner said there was a request for an increase in the County Agent's contract line of \$25,000, and he asked if there is Board support or direction for that? Ms. Howard said the increase mostly comes in the mileage because they are losing the ARPA funding from the grant which is the same reason she is asking for a part-time assistant position to be funded in the County Agent's contract. Commissioner Brooks is okay with leaving it in there for now, but he would like further discussion about it.

The County Agent's budget workshop concluded at 2:14 p.m. (The Board took a brief recess at 2:15 p.m. and resumed at 2:26 p.m.)

Trial Court Administrator Budget:

COO Rast provided Acting TCA Benita Miller and ADJ VanderVelde with the questions noted below and today's workshop centered on the following discussion topics:

Revenues

1. Verify receipt of \$142,800 for Interpreter fees

Fee structure: \$ 90,000 Canyon County

- \$ 15,000 Owyhee

- \$ 20,000 Payette

- \$ 8,904 Washington

- \$ 8,904 Gem

- \$ 142,800

Interpreter fees are for all six counties in the Third Judicial District. Acting TCA Miller said they receive quarterly payments totaling \$142,800 which are deposited with the County Treasurer. Commissioner Brooks asked about the expenditure amount of \$1,749 which seems low. Controller Wagoner said the expenses for contract interpreters are in the district court fund. In addition to that Canyon County has a fulltime employee that provides interpreting services and coordination so that is not a contract payment, it's an FTE and is included in the salaries and benefits of regular employees. It's not broken out on its own specific individual line item. Commissioner Van Beek said interpreters are in a number of budgets across the County and she asked why it's not being managed by one person with eyes on scheduling and budgeting. Controller Wagoner said it's very centralized with one person coordinating the majority of the interpreting activity for Canyon County. The cost to Canyon County for court interpreting is \$200,000, and we receive \$90,000 in revenue. Property tax makes up the difference of \$110k. There's a new wrinkle that started with FY2023, the state upped the dollar amount they are providing and now we are paying for interpreting services for these other counties within the judicial district. There are new line items for interpreting services for other counties in the judicial district. Acting TCA Miller said previous to this fiscal year they have always paid out of the revenue received from the Supreme Court for the five other counties. She said TCA Jamie Robb assigned TCA staff to do the outside counties because they pay a TCA fee in Canyon County as part of revenue stream and that would be a portion of our services. The Board and COO Rast had follow-up questions for the Controller.

A Budget – Personnel

1. 413075 Compensation Program – \$106,867 (Remove Until HR Recommendation) Acting TCA Miller requested this amount not be removed until the TCA receives the recommendation from the HR Director.

2. Staff Attorney (PCN was funded but may or may not be needed)

3. 413080 New/Reclassified Positions – Itemize \$87,852

(Pulled from Clerk's FY2024 Request Letter)

a. Jury Commissioner – \$10,068 Increase

b. Chief Marshal – \$15,500 Increase

c. Staff Attorney – \$11,099 Increase

d. Jury Clerk Full Time – Mid-point – \$51,979

e. PT Court Assistance Office Admin Assistant – \$22,105 (Is this in 413050 Part Time) Will remove and have ARPA funded position cover.

4. Are these proposed wages passed through HR Compensation and the Controller? Acting TCA Miller said the proposed salary increases had not been reviewed by HR and Controller prior to the budget hearing, but they are looking into it and will provide a recommendation. She recommends they not be renewed until she has the recommendation from HR and Controller. We need to look at the ranges. They have submitted a job description for the chief deputy marshal position because the salary range for the chief is the same as the deputies he supervises. Commissioner Van Beek said given the supervisory and responsibility for courthouse security she is in favor of a review of the salary. There was further discussion regarding salaries for the marshals. There was

also discussion regarding the request for new positions. The TCA is removing the request for a part-time court assistance office administrative assistant position and will have the ARPA funded position serve the family court services and court assistance office, and act as a resource for people facing eviction. In other judicial districts the position with the ARPA funding is referred to as a court navigator position and they assist people throughout the judicial system in addition to those eviction cases. Regarding staff attorney request, Judge Vander Velde the position will fill multiple roles and will assist with projects of the ADJ, such as policies, and a number of things that are on the backburner because they have not had the resources to deal with; and it will be a vital resource to the senior judges and will help the magistrate judges as well. Controller Wagoner said the new staff attorney was funded in the FY2023 budget and the position is now filled the position is included in the FY2024 numbers. There is a request for an assistant jury commissioner position.

B Budget – Expenses

1. 542201 Cellular Phone – Adjust from \$6,900 (Recommended: \$11,000). There are 7 FT Marshals, 10 PT Marshals. Suggest each Marshall carry a county phone.
 $17 \text{ marshals} \times \$50/\text{phone} = \$10,200$

Acting TCA Miller said it includes \$225 per month to Verizon for 3 employees who have a County issued cell phone, and an on-call cell phone for the magistrate judges who are on call on the weekend. It includes stipends for employees, cell phones for chief judicial marshal and the lead judicial marshal. Commissioner Van Beek asked what it would look like for all 17 marshals to be equipped with a County cell phone. The cost would be \$10,200. She wants the courthouse secure with coverage. Commissioner Holton wants to be sure the marshals get a cell phone, and he asked Ms. Miller to follow-up and let the Board know what that looks like.

2. 545501 Meals – \$13,500 – Why has this doubled?

a. (FY2023 YTD \$13,059) / (Budget \$7,500)

b. FY2022 Actual \$8,178

c. FY2021 Actual \$4,097

Laura Kiehl said the jury commissioner is tracking data that wasn't previously tracked and they are on track to nearly double last year's number. The number of violent crimes has increased as are the number and length of trials and the necessity to feed jurors. They are asking the Board to partner on a policy for spending and having a separate line item so they can track jury meals more closely. They also want a revenue line item that shows the jury fees that are being donated back to the County. The TCA office would like a policy for meal funds where they set in place a standard policy for how, when, and why they are feeding staff when meetings are called. Because the meals line item is combined it is demonstrating meals for juries as well as any outside meals through the TCA. Controller Wagoner said the audit supervisor has already created that line item and he asked how they would like it split. Ms. Kiehl said the request for Jury meals is \$7,500 and the remaining \$6,000 for TCA meals with a policy on how funds are being spent. Controller Wagoner said the County has an IRS-approved accountable plan that addresses that, and the Audit office can review that with the TCA. ADJ Vander Velde said one of the intents is to create a policy with respect to the jurors' meals too so that there is clarity on what those comprise.

3. 545502 Mileage - \$535 - Zero out, Move to Fleet (Discussion: Is this County Business) Acting TCA Miller said mileage is for the treatment court coordinator. Controller Wagoner said the treatment court fund does not receive any property tax dollars or sales tax dollars, it's funding through participant fees and state monies. We don't want to have the County paying the mileage for the treatment court employees, it needs to be housed in the treatment court fund.

4. 552220 Other Law Books – \$0.00 – Why zero with actuals previously expensed in prior years. \$4,200 should be added for law books. It should not be zero, it should be \$4,200.

5. 554446 Protective Gear – FY2023 YTD \$16,337 / Budget \$15,000 – FY2024 \$3,269

a. Why reduced? They hired 4 marshals in FY23 so there were new blazers and radios. All positions are filled. Requested \$4,500 budget. They hired new marshals: 2 blazers each marshal, new radios, guns. It was a onetime large cost as they built the force up. TCA wants to increase from \$3,269 to \$4,500.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?

a. Can the Interpreter Coordinator schedule for all interpreter needs in the County?

b. Please provide update on funds received for eviction court. Is there a need for this position in the TCA's office? Still the plan to move from Part Time to Full Time via ARPA subrecipient funding approvals between the State/BOCC.

If so, what would they would be doing?

c. Is there state funding for judges' robes? No.

d. Why are new blazers needed for Marshals?

These questions were answered previously. The TCA proposes to return to a payment priority schedule for treatment courts where participants pay their fees directly through the Clerk's Office to take some of the burden of fee collection off the coordinators directly. Controller Wagoner would like to give this more thought before a change is made. The Board will take this under advisement.

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

MEETING TO CONSIDER OFFER BY KYLE MILLS TO PURCHASE PARCEL NO. 36109013 0

The Board met today at 4:01 p.m. to consider an offer by Kyle Mills to purchase Parcel No. 36109013 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy Treasurer Jennifer Watters, Facilities Director Rick Britton, Kyle Mills, and Deputy Clerk Monica Reeves. Chief Deputy Treasurer Jennifer Watters said the property was taken for tax deed in 2009 for nonpayment of the 2005 taxes. The balance due is \$1,025.21 for the 2005-2022 taxes, including the estimated taxes for 2023. Kyle Mills said he is amenable to paying the back taxes. It's a small awkward section that comes into his backyard and he needs to know what property is his so he can install a fence. The property dimension translates to 0.04 of an acre. Commissioner Holton said we need to check with Legal on the process for letting go of publicly owned property. He made a motion to sell the property to Kyle Mills for the cost of back taxes. The motion was seconded by Commissioner Van Beek and carried unanimously. The Board will work with Legal on the process for selling the property and another public meeting will be scheduled to consider the sale and transfer to Mr. Mills. The parcel is located within the Greenleaf City limits and Commissioner Holton is the Mayor of Greenleaf and some of the funds from the sale could eventually be used in the general fund which helps pay his wages, but this piece of business is not large enough to sway his opinion one way or the other. He does not stand to gain financially from this transaction. The meeting concluded at 4:09 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM

CALDWELL, IDAHO JULY 19, 2023

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Les Schwab in the amount of \$27,020.84 for the Solid Waste Department (PO #5594)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Nereida Mireles, Clerk I (Underfill II); Lily Brown, part-time Interpretive Specialist; and Cory Flatt, Weed and Pest Superintendent.

FY2024 BUDGET REVIEW/WORKSHOP

The Board met today at 10:02 a.m. for a FY2024 budget review/workshop. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, Treasurer Tracie Lloyd (left at 10:09 a.m.), Chief Deputy Treasurer Jennifer Watters (left at 10:09 a.m.), Assessor Brian Stender (arrived at 10:28 a.m.), Chief Deputy Assessor Joe Cox (arrived at 10:28 a.m.), Administrative Property Appraisal Supervisor Greg Himes (arrived at 10:28 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

Treasurer 10:02 a.m. to 10:09 a.m.

COO Rast provided Treasurer Lloyd with the questions noted below and today's workshop with the Treasurer's Office centered on the following discussion topics:

Revenues

1. No Questions – *no significant changes*

A Budget – Personnel

1. 413060 Temporary – \$5,000 – Discussion (Workshop Meeting #1 Notes move to \$10,000), *Treasurer Lloyd is comfortable with the \$10,000 amount.*
2. Has HR reviewed the Office Manager job description (currently funded but vacant) and had an updated job description been developed for the proposed reclassification to a Banking and Finance Manager? *Hoping to be finalized this week.*
 - a. How much is the proposed increase to for this position? *\$7000 was included in new/reclassified positions to account for the difference.*
3. Point of Interest – Programmer Analyst II requested in Information Technology to further support Assessment and Property Tax Divisions. *Brought forward as part of the IT budget.*

B Budget – Expenses

1. No Questions

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments? *No changes*
- Has there been additional communication or proposals regarding security services for the Administration Building? *Treasurer Lloyd said there has been brief discussion but nothing in-depth.*

Recessed from 10:09 a.m. to 10:28 a.m.

Assessor 10:28 a.m. to 11:10 a.m.

COO Rast provided Assessor Stender with the questions noted below and today's workshop with the Assessor's Office centered on the following discussion topics:

Revenues

1. Do you have updated revenue projections for FY2024? *Reappraisal: will be reduced to \$1000 for FY24. DMV: lost revenue for online transactions although administrative fees have been increased.*
2. Are you still on track for an administrative fee adjustment of \$4.82 bringing the fee to \$14.32, up from \$9.50? *Assessor Stender reviewed several handouts with the Board which are on file with this day's minutes.*

A Budget – Personnel

1. 411010 Elected Officials – \$95,794 – Is this correct? *Salary split between Reappraisal and DMV*
2. Point of Interest – Programmer Analyst II requested in Information Technology to further support Assessment and Property Tax Divisions. *Backed out of budget.*
3. Point of Interest – Civil Deputy requested in the Prosecuting Attorney's proposed budget. *Backed out of budget.*

4. Point of Interest – Human Resources working on specialty pay around bilingual responsibilities tied to job descriptions. *There will likely need to be a certification or assessment in order to qualify for specialty pay.*

5. How many part-time positions do you expect to fill? (4?) Motor Vehicle? / (?) Reappraisal

6. Were the 4 unfilled positions funded? *Reappraisal: 2 part-time positions and 1 temporary position that helps with PTR. DMV: 1 part-time and 1 temporary position. Not anticipating any employment changes.*

7. Please clarify which positions need to be reclassified and where you are at in the process with HR. How did the compensation compare with Ada County/ITD? *Currently working with HR on this. Assessor Stender feels that on the motor vehicle side the \$100,000 can be reduced to \$60,000.*

B Budget – Expenses

1. 545502 Mileage – Reappraisal \$18,000 / Motor Vehicle \$1,500 – Zero out, Transfer to Fleet. *Mileage reimbursement will be submitted thru Fleet.*

2. 545506 Gasoline and Oil – Zero out, no transfer (Fleet will assume this cost)

3. 680410 Machinery – \$10,000 – What is this for in Reappraisal / Motor Vehicle? *2 Multi-function printers – one for Motor Vehicles, one for Reappraisal.*

4. 682270 Capital Construction Contract – \$25,000 (Discussion: Transfer to Facilities) *Remodel for the Appraisal office.*

5. 684330 General Vehicles – \$80,000 – Zero out, transfer to Fleet. *This is for 2 new vehicles. Mr. Rast said he's spoken with Director Tolman who has indicated he anticipates having 6 total vehicles available for Assessor's Office use.*

a. Please talk about the impact of having 6 fleet vehicles available for your department.

What are your projected needs for vehicles in the future given the growth in the County? *Discussion ensued regarding use of vehicles by the reappraisal division.*

6. Who does the scheduling for interpreters? Do you use a live person or an access line? *Used only as needed.*

7. Will you utilize Motor Vehicle 546610 Education/Training line in FY2024? \$3,000: *Due to staff shortages they have not had time to get people to training but they intend to achieve that in FY24.*

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?

Has there been additional communication or proposals regarding security services for the Administration Building: *Nothing more has been done but Assessor Stender would like to engage more on the topic.*

Discussion was had regarding additional facilities for a DMV location.

Controller Wagoner asked about a document that was provided to them by the Board regarding the Parks budget. He explained that yesterday there was what he felt was direction from the Board to leave certain expenditures in the Parks budget but today there is a recommendation from two department administrators to go in a different direction. Mr. Rast said that after the budget hearings yesterday he met with Directors Britton and Schwend regarding their concerns and really

wanting to move the funds around. Mr. Rast worked with them on the proposed changes then met with the chairman about those changes which he seemed supportive of. After Mr. Rast met with the chairman he met with the other Board members who seemed to be fine with the changes. Mr. Wagoner said he doesn't need to go thru the document line by line but just needs to know the direction of the Board. Commissioner Holton said he instructed the Directors to see if a compromise could be reached because he felt that during both of those budget hearings it became clear that there were unique budgetary items that wouldn't be able to be reduced down to \$1000 or completely eliminated due to the physical distance away and like Mr. Rast indicated those directors worked together to determine what made sense. Commissioner Holton said the direction from the Board is to amend budgetary line items as outlined in the memo provided to the Clerk/Controller. Below is an outline of the requested amendments and a copy of the email/memo provided to the Controller is on file with this day's minutes. Commissioner Brooks noted for the record that he was in no way involved in any of the discussion since yesterday. He was handed the document this morning and after reading thru it he is in consensus with what has been determined by the two directors, COO Rast and Chairman Holton have come up with. Commissioner Van Beek noted that she is also supportive of the recommended changes as presented.

Item #1

521120 Misc Professional Services – 8,000 move to Facilities (Erosion Mitigation – Celebration Park)

New adjusted Parks line item total – 11,500

Item #2

554401 Building Supplies & Materials – 10,000 (Move to Facilities)

New adjusted Parks line item total – 0.00

Item #3

554402 Ground Maintenance Supplies – 44,000 (Move 36,000 to Facilities)

New adjusted Parks line item total – 0.00 (Moving 8,000 to 554403)

Item #4

554403 Repair and Maintenance Supplies (Combining 554401 and 554403)

New adjusted Parks line item total – 20,000

Item #5

554410 Janitorial Supplies – 8,000 – Move to Facilities

New adjusted Parks line item total – 0.00

Item #6

682270 Capital Construction Contracts – New adjusted Parks line item total – 7,000 (680xxx account?)

18,000 A/C Museum (Move to Facilities)

26,000 Window Actuators in Museum (Move to Facilities)

Item #7

683340 Other Improvements – Move 225,000 To Facilities – Celebration Park Decking /
Ada Compliance

New Adjusted Parks line item total – 150,000 Gun Range

The meeting concluded at 11:10 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR LS RANCH NO. 3, CASE NO. SD2022-0010

The Board met today at 11:15 a.m. to consider a final plat for LS Ranch No. 3, case no. SD2022-0010. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Engineering Coordinator Stephanie Hailey, Engineer Devin Krasowski, Tracie Kasper and Sam Huff and Deputy Clerk Jenen Ross. Stephanie Hailey gave the oral staff report stating that the preliminary plat was approved in August 2019 with 7 conditions which have been met. The property is zoned R-1 residential with average residential lot sizes of .97 acres. There are 32 residential lots, 4 common lots, internal public roads, pressurized irrigation, individual septic systems and City of Caldwell water services. County engineering reviewed and approved the final plat and construction drawings, participated in a post-construction site visit and compiled evidence for condition compliance. The County surveyor reviewed and signed the final plat. The final plat is in compliance with Canyon County Zoning Ordinance 7-17-13 and staff recommends the Board sign the final plat for LS Ranch No. 3. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the final plat for LS Ranch No. 3, Case no. SD2022-0010.

The meeting concluded at 11:18 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 11:22 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Managers Jennifer Odem and Kellie George and Deputy Clerk Jenen Ross.

A lien release for case no. 2013-247 was presented to the Board as there was recently a lump sum final payment made on the account. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the lien release as presented.

The meeting concluded at 11:23 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 BUDGET REVIEW WORKSHOPS FOR THE CLERK'S OFFICE, CORONER'S OFFICE, AND SHERIFF'S OFFICE

The Board met today at 1:33 p.m. to conduct FY2024 budget workshops for the Clerk's Office, the Coroner's Office, and the Sheriff's Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, Recording Supervisor Emily Howell, Elections Supervisor Haley Hicks, Elections Specialist Brandi Long, Indigent Services Director Yvonne Baker, Director of Court Operations Jess Urresti, Coroner Crawford, Fleet Director Mark Tolman, Chief Deputy Sheriff Doug Hart, Sheriff's Financial Manager Dave Ivers, Captain Harold Patchett, Captain Ray Talbot, Captain Chuck Gentry, Lt. Martin Flores, Sheriff's PIO Joe Decker, and interested citizens, and Deputy Clerk Monica Reeves. Sheriff Kieran Donahue arrived at 3:15 p.m.

Clerk's Office Budget:

COO Rast provided the Clerk with the questions noted below and today's workshop centered on the following discussion topics:

Revenues

(Audit) 346703 County repayment - What is this revenue line used for?

a. Why was revenue anticipated at \$200,000?

Controller Wagoner said it relates to indigent medical. There is still approximately \$60M in indigent medical liability debt outstanding and we are still billing and collecting that. In FY2022 there was \$250,000 that stayed with the County. We are acting as a collection agency for the state, unfortunately about $\frac{3}{4}$ of the money we collect we remit to the state and that's something that needs to be considered. There have been legislative changes and the Board has been given authority relating to indigent medical debt and he thinks we need to consider discharging the amount of debt owed to the state as it would be a break for the taxpayers. All monies would collected would stay with the County and where we are sending out the bills, following up, collecting and receipting the monies, it's appropriate the funds stay with the County since we are incurring the cost and doing the work.

The Board will have a workshop with Legal and the Clerk to further discuss this topic at a later date.

A Budget – Personnel

1. 411010 Elected Officials - \$79,659 (Is this accurate?) Controller Wagoner said the Clerk's salary is allocated between two accounting entities, a portion of the salary is paid from the current expense fund and a portion is paid from the consolidated elections fund. That amount is only the portion that comes from the current expense fund.

2. 413080 New/Reclassified Positions - \$239,148

413050 Part Time – \$15,000 - Controller Wagoner explained that a longtime employee who used to work fulltime in Audit is no longer an FTE, but is willing to assist during the end of the fiscal year and the end of the calendar year with the annual financial audit and to help generate W-2's and other tax forms.

413060 Temporary – \$100,000 (Increase of \$75,000)

Itemize and explain new positions and/or reclassifications

- a. (2) Clerk I to Clerk II – *They are file clerks and the Clerk II position more accurately represents their job duties.*
- b. (2) Clerk II to Clerk III – *Once 2 of clerks complete their training he would like them to be Clerk III's with the rest of their staff.*
- c. (1) New Clerk III Staff – *Magistrate court staff*
- d. (1) New GIS Analyst – *For Elections Office*
- e. (2) New Elections Specialist Positions – *To balance out the workload; 5 employees for the past 11 years. New election laws will increase workload tremendously.*

Jess Urresti said the Clerk III position will bring the Magistrate In-Court staff to 16. It's a position they have needed but haven't requested until now because of space issues, but the Facilities Dept., is remodeling space on the third floor which will allow for 5 additional seats in the office with space to add more in the future. As the judiciary grows in the future they will likely have to add staff. Commissioner Van Beek asked which employees are working from home and which employees are working onsite fulltime. Mr. Urresti said the District secretaries are working a hybrid work-at-home schedule but none of his staff are working from home. (District secretaries work for the Trial Court Administrator.) Commissioner Van Beek asked if additional staffing is needed to compensate for the at-home schedule. Mr. Urresti said if those employees were here fulltime he doesn't know if he would need additional staff to supplement what's going on with their hybrid schedules. He would have to see that in practice if they were here full-time, but there is a certain burden that does fall on the Magistrate In-Court Clerks and the Magistrate secretaries because the other secretaries are not in the office all the time.

Elections Supervisor Haley Hicks explained the need for the GIS analyst position; it was suggested by IT and is needed in the Elections Office due to the compliance with election deadlines, and constant changes in boundaries and tax code areas. They are seeking new Elections specialist positions to balance out the current workload with the existing staff. They have 5 fulltime employees for the past 11 years and with the growth and new election laws that have passed there are new duties that will increase the workload tremendously. Brandi Long spoke about GIS licensing fees that are estimated at \$3,000.

3. Has HR been consulted on salary recommendations? Yes, HR has been consulted and will be in line with the current salaries.

B Budget – Expenses

1. 545502 Mileage – \$3,000 – Zero out, move to Fleet – *The Board agreed not to move this, per discussion noted below.*
2. 545506 Gasoline and oil – \$1,500 – zero out, Fleet will consume the cost *So noted, per Clerk Yamamoto.*
3. 548211 Poll Workers – Consolidated \$220,000 – Change from Workshop #1 (Done) *So noted, per Clerk Yamamoto.*
4. 554401 Building Supplies & Maintenance – \$75,000 (**Discussion:** Move to Facilities) *So noted, per Clerk Yamamoto.*
5. 554403 Repair and Maintenance Supplies – \$7,500 (**Discussion:** Move to Facilities) – *The Board agreed not to move this.*
6. What are the alternatives to purchasing more equipment 684221 Computer/networks/software valued at \$968,064? Commissioner Brooks said this goes along with the question of whether the County has evaluated the voting system used in Ada County and it's a larger discussion than we want for this budget workshop so he suggested there be a follow-up discussion about what can and cannot be done within the current system before taking this deep dive. Clerk Yamamoto agrees.
7. 554475 Election Supplies – \$40,000 up from \$15,000 (Envelopes?) They moved the K&H printing costs from the postage line item to the supplies line item for a better fit.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments? Controller Wagoner said 554403 is for repair, maintenance and upkeep of Elections equipment - \$7,500. 545502 Mileage – \$3,000 - Haley Hicks said it cannot be moved to Fleet because the mileage is utilized with the persons who help on Elections Day to check the polling locations and be runners. They are not County employees or temporary employees, they are paid volunteers and so they cannot drive the Fleet vehicles. The Board would like them renamed.
2. Have the additional polling locations been secured? (51 total, one for each precinct) Staff is working to secure 11 additional locations to bring it to 1 per precinct for a total of 51. There is an August election so there will be a delay. There was discussion regarding use of schools for polling locations. The Board is very interested in utilizing schools for polling locations. Clerk Yamamoto said they have been working on it for three years and if we can get Vallivue, Nampa and Middleton schools to do in-service days (no students at school) we would be in really good shape. The Clerk and his staff will keep the Board informed on this topic.
3. Has the County evaluated the voting system used in Ada County? Please compare/contrast the systems. Clerk Yamamoto said he and Ada County Clerk Chris Rich were in agreement when they were purchasing the Hart system, and he was asked to make the move at the same time as Ada County, but he is happy he decided not to because we have a better system. Haley Hicks said Ada

County uses Hart Intercivic and instead of using Verity Duo, which is the ballot marking device, the precinct scanners can read what the voters are selecting, and they use ballot on demand paper ballots that are printed at the precinct. Ada County has noticed it does cause delays and they have to use K&H to preprint several ballots to meet the demand of the ballots required at polling locations on Election Day. They also see a backup at the precinct scanner from voters improperly marking the ballot. Ada County uses the precinct scanners, however because they use paper ballots that are marked by the voters, and Canyon County using the Duo's that pre-mark the ballots ours is a swift process that is read right there in front of the voter. A slight printing issue may be a reason to kick it back versus the number of voters that improperly mark ballots. Ada County does not have the auto ballot option that Canyon has with the controllers that are connected to our Duo's and that was a key factor for Canyon County in ensuring that proper ballots are being issued by the poll workers and minimizing that huge risk of human error and bringing the accuracy back to the Election. Further discussion ensued regarding ballot styles, equipment, and processes.

Commissioner Holton said cities didn't confer and there are new streets and new street addresses we are not aware of. Ms. Hicks said there is a communication problem, but she's hopeful the GIS analyst who specializes in the elections version of GIS will be a tremendous benefit because they can keep the streets and maps up to date. Commissioner Brooks asked if our system has the ability to count ballots at the polling location? Ms. Hicks said yes, precinct scanners tally at the precinct, however, when the scanner is brought back to the Elections Office the drive is pulled and that tally has been tabulated with all the Election results during the count. Clerk Yamamoto said they store it at the machine; it is counted when it gets back to the office and that's how they want it. He does not want anyone in Elections to know what the count is at the polling places. Brandi Long said the only thing they are able to see is how many ballots were deposited.

4. What is the amount of the annual licensing renewal for FY2024 for Hart? This year's total is \$108,956.

5. What are the qualifications for an election's specialist? – It's an entry-level position and the person must have attention to detail and be able to perform data entry work, have a high-school diploma, and pass a background check.

The Board took a brief recess from 2:16 p.m. to 2:25 p.m.

Coroner's Office Budget:

COO Rast provided the Coroner with the questions noted below and today's workshop centered on the following discussion topics:

Revenues

341620 Other misc charges and fees - \$0.00 - (Adjust to \$30,000) Coroner Crawford said revenues are not guaranteed, it consists of what other counties bring in for autopsies. It's been suggested that she increase it to \$30,000 but she's not comfortable with that because her office has never reached that amount. She suggested an amount of \$15,000.

A Budget – Personnel (No New Staff Requests)

413050 Part Time – Is \$8,424 requested enough? Coroner Crawford is comfortable with the \$8,424 amount.

B Budget – Expenses

545506 Gasoline and Oil - \$8,000 - Zero out (Fleet will consume this cost) Coroner Crawford has no problem with moving it to Fleet.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments? No.
2. Do we contract with a forensic pathologist? No, but we contract with Ada County who has forensic pathologists.

The Board recessed from 2:30 p.m. to 3:01 p.m.

Sheriff's Office Budget:

COO Rast provided the Sheriff with the questions noted below and today's workshop centered on the following discussion topics:

Revenues

1. No Questions

A Budget – Personnel

Sheriff's Project Book -

(6) New Positions and Adjustments of Specialty Pay

(1) Marine Deputy

(4) Patrol Deputies

(1) Sr. Admin Specialist Booking

K-9 Pay Adjustment

On-call Pay Adjustment

Swat Pay Adjustment

(4) Position Adjustments – Done

Reclassifications of Call Takers / Dispatch Positions – Pending in HR.

Chief Hart said they have no changes. The K-9 specialty, on-call, and swat pay adjustments have already been addressed to be effective the start of the fiscal year and so the only pending decisions for the Board would be the marine deputy, 4 patrol deputies, and the senior admin. specialist. They have one resolution for a slight adjustment in driver's license to recognize the supervisory duties that are being carried out by some personnel there.

B Budget – Expenses

Move to Fleet (Discussion)

545502 Mileage – \$200

545506 Gasoline and Oil – \$400,000

684320 Police Vehicles – \$796,000

Chief Hart asked how the Board envisions these moves will take place in terms of the CCSO see accountability, for instance, police vehicles \$796,000. Commissioner Holton said it will appear as a line item for the Sheriff's Office under the Fleet budget.

Move to Facilities (Discussion)

554403 Repair and Maintenance Supplies – \$2,000 - Chief Hart has no problem with it being moved.

554410 Janitorial Supplies – \$70,500 – Chief Hart wants this to stay with Sheriff's Office.

554450 Chemical Supplies – \$3,000 - Chief Hart wants this to stay with Sheriff's Office

680410 Machinery – \$19,000 – This line item won't exist any longer as the items were funded from F2023 monies.

682270 Capital Construction Contracts - \$40,000 - No issues moving to Facilities, but the vendor identified meets all industry standards so CCSO does not want a "homegrown" solution.

684110 Machinery – \$108,000 – This was the scanner purchase that they were hoping to get a reimbursement grant for, but they have since learned that the grant will no longer be funded so they are removing the request from the budget. They have access to a scanner through law enforcement partnerships should they need it.

684370 Kitchen Equipment – \$350,000 - This is the project to relocate the laundry facilities and Chief Hart has no objection moving it to Facilities.

General Questions

1. Any other suggested changes to the FY2024 budget in regards to revenue or expense adjustments?

2. Go through project book adjustments? (60+ Projects)

a. FY2024 procured projects through FY2023 unspent forecasted expenses

Chief Hart presented the Board with documentation as part of his review of the Sheriff's Office project book. He reviewed the changes and reductions to CCSO budget which are delineated in the spreadsheet titled *Project Funding Potential from FY23 Funds*. Other supporting documentation is on file with this day's minute entry. The Chief estimates they were able to reduce their FY2024 "B" Budget request by \$365,000 by using FY2023 monies.

What they are seeking in terms of projects for FY2024:

Project No. 1 - Patrol proposal

Project No. 40 - Computers and monitors

Project No. 46 - Simulation firearm system

Project No. 15 - Fuming chamber

Chief Hart informed the Board of a project that came up this week where they can make their initial payment out of FY2023 monies. Frequently in investigations they seize cell phones and oftentimes they are locked and there are very few, very specific solutions to unlock and exploit a cell phone. Cellebrite is the leader in digital intelligence and investigative analytics. Through a partnership with the Prosecutor's Office, Caldwell Police Dept, Nampa Police Dept and the Sheriff's Office - all of these entities are paying for the same service and not getting the highest level of service because there are different levels of capabilities with this software and so Project No. 62 is a proposal for the shared purchase of a Cellebrite Digital Forensic package that would give all four agencies much greater capabilities, unlimited numbers of unlocks. The proposal is to create a digital forensics task force between those four agencies and share the cost of buying the best software and create a database of the phones they can crosscheck. The annual cost is \$21,900, with a onetime upfront cost of \$4,750 to buy a shared server to archive the digital information. (Additional documentation is attached to this day's minute entry.) The total quote is \$117,585, and \$19,000 is for a server to house the digital information. An MOU is being reviewed by the PA's Office. The Board had follow-up questions, and Sheriff Donahue spoke of the importance of this product and how it will benefit law enforcement.

Chief Hart informed the Board about Project No. 33 which they had slated for FY2025 - it's a software upgrade in the Sheriff's Records Dept., and they are looking at two potential software upgrades. Their current process is labor intensive and slow so they are looking at a software solution from Tyler Technologies. The growing demand based on the number of garnishments the County has to process has increased almost 300%. They've added 2 positions to records but in the last year they've still paid \$57k in overtime to employees because of the volume of work. Through current means they are only able to process 10 garnishments a day. Ada County is using Tyler Technologies software and they can process five per hour. CCSO has a 2-week backlog of garnishments at any given time, but there is a 7-month backlog in other duties such as digitizing, scanning, and other responsibilities because of all the work that's going into garnishments. The software package is \$208,000, with a \$24,000 annual maintenance fee.

There was discussion about the Spillman system. The Sheriff's Office is not satisfied with the performance of the system, but Sheriff Donahue said it's cost prohibitive to leave Spillman. He is not asking for a decision on the software purchase today, but it has been scheduled for FY2025. If there's a way to find a path forward sooner it would behoove us to do so because we are paying \$50,000 a year in OT, which is \$20,000 more than the annual payment would be. Captain Talbot spoke to Ada County about the Tyler Technologies software, and they are pleased with the system. The civil module will integrate with the Odyssey program so they can get things from the Idaho Courts electronically. COO Rast said the Spillman software is bad, and they have been saying they were going to rewrite the module year after year. He said the software really needs to be replaced and asked if we should put the money in the budget as a placeholder and do an investigation? Sheriff Donahue said that's an option; the sooner the better, but there are constraints. We are not at a critical stage yet, but it's a conversation we can have. Commissioner Van Beek is in favor

of a placeholder. She appreciates the Sheriff and Chief Hart and the command staff for bringing a new level of detail and presentation to the Board in their budgeting process. Commissioner Holton said we are committed to getting this fixed for the taxpayer and he wants the Sheriff to put both items initially in the total budget, at least for the next 2 weeks, and see how it will shake out at the end rather than having a discussion and not including it in a proposed budget. As we get down to the end we can see whether we can make it work or fund a portion or whatever that is. Commissioner Brooks agrees. He asked if the Tyler Technologies package would replace Spillman if the Sheriff wanted it to? No, this is just the civil process piece of it. Chief Hart said he will communicate with the Clerk and Controller in terms of funding.

The meeting concluded at 4:11 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER AN ENTERTAINMENT CONTRACT WITH ZOLIO NAVARRETE AND LOS REBELDES DE DURANGO FOR THE CANYON COUNTY FAIR

The Board met today at 2:31 p.m. to consider an entertainment contract with Zolio Navarrete and Los Rebeldes De Durango for the Canyon County Fair. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, and Deputy Clerk Monica Reeves. Commissioner Brooks read into the record comments from Fair Director Diana Sinner who said this is the last entertainment agreement for the Fair and is opening act for the Latino concert and is the same form agreement we utilize for other entertainment. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the entertainment contract as presented. (Agreement No. 23-080.) The meeting concluded at 2:32 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM
CALDWELL, IDAHO JULY 20, 2023

No meetings were held this day.

JULY 2023 TERM
CALDWELL, IDAHO JULY 21, 2023

No meetings were held this day.

APPROVED CLAIMS

- The Board has approved claims 596483 to 596523 in the amount of \$1,257,745.45
- The Board has approved claims 596524 to 596564 in the amount of \$218,391.89

- The Board has approved claims 596565 to 596608 in the amount of \$21,163.51
- The Board has approved claims 596609 to 596627 in the amount of \$21,297.78
- The Board has approved claims 596628 to 596665 in the amount of \$67,619.77
- The Board has approved claims 596666 to 596710 in the amount of \$178,577.80
- The Board has approved claims 596711 to 596759 in the amount of \$59,366.67
- The Board has approved claims 596760 to 596783 in the amount of \$13,302.50
- The Board has approved claims 596784 to 596848 in the amount of \$91,266.20
- The Board has approved claims 596849 to 596878 in the amount of \$34,220.34
- The Board has approved claims 596879 to 596926 in the amount of \$188,735.33
- The Board has approved claim 596949 in the amount of \$979.75

JULY 2023 TERM

CALDWELL, IDAHO JULY 24, 2023

No meetings were held this day.

JULY 2023 TERM

CALDWELL, IDAHO JULY 25, 2023

APPROVED CLAIMS

- The Board has approved claims 596927 to 596954 in the amount of \$399,084.90

APPROVED PAYROLL JULY 28, 2023

- The Board approved the July 28, 2023 payroll in the amount of \$2,378,397.32

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Eastside Tavern to be used 8/12/23; Capitol Bar to be used on 7/30/23; County Wine Line to be used on 8/12/23; Paleteria Y Neveria Mi Linda Michoacana to be used on 8/5/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Jamie Siewert, Election Temp.; Bonnie Wood, Election Temp.; Samantha Hammond, Planner II; Trina Harrell, Election Temp.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- RBA Architects in the amount of \$2200 for the Facilities department (PO #5659)
- Duramont LLC in the amount of \$3220 for the Sheriff's Office (PO #5692)
- Wild West Marketing in the amount of \$12,599.50 for the Sheriff's Office (PO #5691)
- Salt Lake Wholesale in the amount of \$2342.35 for the Sheriff's Office (PO #5690)
- Volatus Drones in the amount of \$3358.00 for the Sheriff's Office (PO #5689)
- Hurricane Butterfly Law Enforcement in the amount of \$1385.00 for the Sheriff's Office (PO #5707)
- Hurricane Butterfly Law Enforcement in the amount of \$3539.00 for the Sheriff's Office (PO #5706)
- Curtis Blue Line in the amount of \$4251.00 for the Sheriff's Office (PO #5705)

MEETING TO CONSIDER AGENDA ITEMS

The Board met today at 9:03 a.m. to consider agenda items. Present were: Commissioners Leslie Van Beek and Brad Holton, Deputy P.A. Oscar Klaas, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Ray and Jennifer Jensen (left at 9:19 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider request for cancellation of taxes for Ray and Jennifer Jensen: Treasurer Lloyd explained that the Jensen's are in jeopardy of their property being taken for tax deed on Thursday, July 27th. She has spoken with the Assessor's Office and based on the financial information provided by the Jensen's their income is too great and they would not have qualified for PTR or deferral. Currently the Jensen's are 4 years behind on taxes and Treasurer Lloyd spoke about the efforts they make to work with people to avoid a property being taken for tax deed. The Jensen's spoke about their limited income and how the home was inherited from a deceased relative but unbeknownst to them the taxes were not being paid; they have been working for several years to get caught up. In order to avoid the property being taken for tax deed the 2019 taxes would have to be paid; the total due is \$2490.08. The Jensen's have indicated that they have \$1800 saved they could pay today; however, they are still short the remaining amount. Commissioner Van Beek made a motion to accept the request for cancellation and take that under consideration given legal counsel and the feedback from Treasurer Lloyd for Ray and Jennifer Jensen given the application. The motion was amended to include a 60-day timeframe. The motion was seconded by Commissioner Holton and carried unanimously.

Consider Treasurer's Tax Charge Adjustments by PIN: Total to be adjusted is \$3352.82 which are just administrative adjustments that are filed every month. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for June 1-30, 2023.

The meeting concluded at 9:22 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:33 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Carl Ericson (left at 9:59 a.m.), Deputy P.A. Zach Wesley (left at 9:59 a.m.), Deputy P.A. Oscar Klaas (left at 9:59 a.m.), Cpt. Harold Patchett (left at 9:42 a.m.), Cpt. Ray Talbot (left at 9:42 a.m.), Lt. Travis Engle (left at 9:42 a.m.), Director of Juvenile Detention (left at 9:42 a.m.), Controller Zach Wagoner (left at 9:36 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider administrative services agreement between GemPlan and Blue Cross of Idaho Health Services, Inc.: Mr. Wesley explained how GemPlan operates with Blue Cross and the need for the amendment; there is no real impact to the day-to-day or financials. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the administrative services agreement between Gem Plan and Blue Cross of Idaho Health Services, Inc. (see agreement no. 23-081).

Consider a resolution authorizing the destruction of certain Canyon County Sheriff's Office records: This resolution will allow for the destruction of records regarding background checks on gun purchases. Recently there was a bill passed making it unlawful for law enforcement to maintain lists of purchases of firearms and specifying what those firearms are. Under Federal law, the Sheriff's Office has a responsibility to receive reports of gun sales which are reviewed but federal law requires that those reports are destroyed within 20 days. Background checks are kept electronically. Cpt. Talbot said there is really no impact to the Sheriff's Office. These are only for certain classifications of firearms and it's really just a secondary check to help ATF make sure they are keeping firearms out of the hands of people who are not qualified to legally possess them. Records found for someone not legally able to possess a firearm will be kept and a criminal case would be pursued. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution authorizing the destruction of certain Canyon County Sheriff's Office records (see resolution no. 23-187).

Consider request for proposals and legal notice for Canyon County Jail & SWIJD Food and Commissary Services:

This is a joint request between CCSO and SWIJD for food services; for the jail portion there is also a request for commissary services. This is just to update the contract on the jail services to ensure the county is receiving the most cost-effective services. Currently in the jail food service and commissary are provided by Summit but they would like to have the two services separated out. Director Brown said that every 3 years the juvenile detention center has to go out to bid for food services due to the school lunch program so the timing of this RFP works well for them. Commissioner Van Beek made a motion to sign the request for proposals for the Canyon County Jail & SWIJD Food and Commissary Services. The motion was seconded by Commissioner Holton and carried unanimously. Commissioner Van Beek also made a motion to sign the legal notice for Canyon County Jail & SWIJD Food and Commissary Services. The motion was seconded by Commissioner Holton and carried unanimously.

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 9:44 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 Holton. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross with Commissioners Van Beek and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas and COO Greg Rast. The Executive Session concluded at 9:59 a.m. with no decision being called for in open session.

At the conclusion of the executive session the following action items were taken up:

Consider resolution granting a transfer alcoholic beverage license to The Bank Bar: Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution granting a transfer alcoholic beverage license to the Bank Bar (see resolution no. 23-186).

Consider resolution granting a new alcoholic beverage license to Taqueria Mexico Chiquito: Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Taqueria Mexico Chiquito (see resolution no. 23-185).

The meeting concluded at 10:00 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR OSPREY ESTATES SUBDIVISION NO. 1, CASE NO. SD2020-0040

The Board met today at 10:33 a.m. to consider the final plat for Osprey Estates Subdivision No. 1, case no. SD2020-0040. Present were: Commissioners Leslie Van Beek and Brad Holton, Engineering Coordinator Stephanie Hailey, Engineer Devin Krasowski, Representatives for Osprey Estates Subdivision No. 1 and Deputy Clerk Jenen Ross. Ms. Hailey said the preliminary plat was approved by the Board on August 4, 2020 and subject to 11 conditions of approval. It is zoned CR-R1 single family residential with average residential lot size of .53 acres it has 67 residential lots, 11 common lots, internal public roads, pressurized irrigation, private community waste water system and City of Nampa water. County engineering reviewed and approved the final plat construction drawing, participated in a post construction site visit and compiled evidence for condition compliance. The county surveyor reviewed and signed the final plat. The final plat is in compliance with Canyon County zoning ordinance 7-17-13 and staff recommends that Board of County Commissioners sign the final plat for Osprey Estates No. 1. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign

the final plat for Osprey Estates Subdivision No. 1, Case no. SD2020-0040. The meeting concluded at 10:35 a.m. and an audio recording is on file in the Commissioners' Office.

CONTINUANCE OF FY2024 BUDGET WORKSHOP FOR FACILITIES AND WEED & PEST DEPARTMENTS

The Board met today at 11:00 a.m. for a continuance of the FY2024 budget workshop for the Facilities and Weed & Pest departments. Present were: Commissioners Leslie Van Beek, Zach Brooks and Brad Holton, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, Facilities Director Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross. The items discussed were as follows:

Facilities budget:

Grounds maintenance supplies: \$60,000, increased \$5,000 from last year and anticipates that to continue growing as the county properties continue to grow.

Software renewals: will be moved to service contracts

Trucks and pick-ups: two vehicles this year will be transferred to Fleet

Heavy equipment: \$8,000 for a new liftgate for a new vehicle and will be transferred to the Fleet budget

Courts: one last courtroom to be finished, will be in courts budget

- No projects are planned at the landfill this year
- \$25,000 needs to be added for sealcoating for 3-4 parking lots
- The Board would like a list of consolidated projects that have been moved to the Facilities budget
- For larger projects: A&E costs are in facilities budget, construction costs are not yet included in budget as the actual costs are still unknown. Estimated construction costs for the warehouse and animal shelter is \$4.5M.

Weed and Pest budget:

Gas and oil: fuel will be purchased thru Canyon Highway District due to convenience and cost is comparable; billing for fuel will be run thru the Fleet department

Trucks: one truck which will be transferred to Fleet

Repair and maint.: \$5000 will remain in Weed and Pest

Education and training: \$400, there is no cost to the county to renew licenses

Computer: IT recommendation; would also like to add laptops to each vehicle and the cost for installation hardware will go thru Fleet

Auto repair and supplies: general upkeep of vehicles; this will be moved to Fleet

Controller Wagoner spoke about how, in regard to property taxes, Weed and Pest are entirely different. If Pest expenses are moved to Fleet, all county property taxpayers will be asked to pay specific expenses that are pest control related and that is a separate taxing district from Canyon County. Not all county residents pay pest property tax. Consensus from the Board is to have the Pest budget remain as it is and Fleet can charge back to the that budget.

The meeting concluded at 11:31 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - THE APPLICANT, BORTON-LAKEY LAW REPRESENTING EW REAL ESTATE, LLC, IS APPEALING THE P&Z COMMISSION'S DECISION REGARDING THE DENIAL OF CASE CU2022-0034, A CONDITIONAL USE PERMIT (CASE NO. CU2022-0034-APL)

The Board met today at 1:35 p.m. to conduct a public hearing for Case No. CU2022-0034-APL, where the applicant, Borton-Lakey Law representing EW Real Estate, LLC, is appealing the Planning & Zoning Commission's decision regarding the denial of Case CU2022-0034, a conditional use permit to allow an Agritourism Oriented Special Events Facility use within an "A" (Agricultural) Zoning District. The use includes an outdoor amphitheater with a seating capacity of up to 5,000 guests for concerts, events such as weddings, cidery, u-pick orchards, and other agritourism-supported activities. The subject property is located just southeast of 13748 Sunny Slope Rd, Caldwell on Parcel R335630106. Present were: Commissioners Brad Holton and Zach Brooks, Commissioner Van Beek (recused herself from the hearing), Deputy PA Zach Wesley, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, DSD Office Manager Jennifer Almeida, County Engineer Devin Krasowski, DSD Planner III Michelle Barron, DSD Planner II Samantha Hammond, IN FAVOR: Bill LeClerc, Todd Lakey, Deborah Nelson, Scott Gipson, Tara Evans, Jolyn Thompson, Dar Symms, Jacob Cragin, James Mertz, Jim Mertz, John Starr, Mary Symms, Liz Dodson, Rheanna Allen, Moya Dobby, Brenna Smith, Eva Symms, Bill Hirschmann, Sydney Weitz-Nederend, Drew Allen, James Nederend, NEUTRAL: Rob Sturgill, Gregg Alger, Hai Longworth, and Herbert Longworth, IN OPPOSITION: Leanne Ferguson, Mandi Williams, Susan Park, Patricia Anne Lodge, Sonnie House, Steven Bair, Mike Gable, J. Warfel, Daniel Bair, Tara Bailey, Gloria Watson, Jennie Jimmerson, John Ottenhoff, Beverly Ross, Scott Jimmerson, Everett Hamlin, Linda Ross, Sue Stark, Dennis Colbert, Colleen Schaub, Bernard Stalp, Stephanie Bair, Jeff Hibbard, Penny Allmer, John Hoadley, Eldon Betz, Irma Noe, Barbara Parshley, Kaye Devenport, Sharon Frost, James Bauer, John Kernkamp, Madeleine Hall, Lynette Enrico, Margie Robinson, Anne Delgado, Judy Hanson, Amy Bitner, Kim Johnson, Emerson Miller, Gerri Smith, Mary Confer, Paul Panther, Cynthia Burnham, Fred Confer, Danny Trevett, Mark Wendelsdorf, Nancy Tiffany, Julie Rundall, Hipolito Delgado, Tara Bailey, Kris Pyele, Ann Ledford, Marianne Reczek-Phoebus, Joanne Bradford, Marlene Moore, Michael Devenport, Wayne Rundall, Craig Davis, Elisha Brooks, Becky Hartmann, Margarita Romero, John Romero, Larry Craig, Paul Trout, Mark Naillon, Diane Eldredge, Ashley Collins, Sandra McCrillis, Annette Stalp, JoDee Arnold, Lea Matthews, Geoff Matthews, Alan Mowry, Dave House, Marjorie Ford, Charles Ford, Vivian Ferkin, Tina Clapier, Bodie Clapier, Cynthia Betz, Donna Schultz, Willow Yadon, Roger Yadon, Dana Hibbard, Robert McCrillis, Judi Hostetter, James Insley, Terry McClellin, Jim Streicher, Mary Adams, Darryl Ford, Jamie Meade, Paunee Uberuaga, Rita Miller, Jennifer Crumm, Phil Uberuaga, Brian Burnham, Laura Jean Rispens, David

Delihant, Gregg Dunlap, Kris Crookham, Judy Leathers, Tamera Frans, William Albert, Angie Dunlap, MJ Stuart, other interested citizens, and Deputy Clerk Monica Reeves.

Commissioner Van Beek disclosed that on June 6, 2022, she received an invitation from John Starr and Symms Fruit Ranch to participate in a meeting, but she did not know when she accepted the invitation that this case would be presented to the Board. She and her husband are agriculturists and have deep ties to the agricultural community and families in the Sunnyslope area, and she sat through a presentation where there was a significant amount of discussion on this project. Her fellow Commissioners did not have the benefit of that and so to protect the integrity of the process, abide by her oath of office, and be fair and impartial she will recuse herself from the decision so that Commissioners Holton and Brooks can hear it for the first time. Commissioners Holton and Brooks said they have no conflicts of interest, nor do they have disclosures regarding site reviews or conversations outside of the hearing.

DSD Planner III Michelle Barron gave the oral staff report. The applicant's proposal includes as an outdoor amphitheater with seating capacity of up to 5,000 guests for concerts; events such as weddings; a cidery; U-pick orchards; permanent concession facilities with farm to fork foods; a wine-tasting pavilion; event garden; permanent restroom facilities; and a production office. The subject property is located on Parcel R33563010; the land division that created this parcel did not occur in accordance with the Canyon County Zoning Ordinance, therefore, the applicant will need to complete an after-the-fact administrative land division with a property boundary adjustment which has been added as a condition of approval. Ms. Barron reviewed the updated site plan. The location of the access on the east corner of the property was moved to comply with the comments from Canyon Highway District No. 4. There was a review of the site photos. The application was submitted under the 2020 comprehensive plan. The proposed use aligns with 8 goals and 16 policies in the comprehensive; the proposed use does not align with 2 goals and 4 policies. It does generally conform with the 2020 comprehensive plan.

There was a review of the site characteristics and surrounding uses, and there was a review of agency comments from Canyon Highway District No. 4 (Exhibit 2, Attachment 8a), Boise Project Board of Control (Exhibit 2, Attachment 8b), Canyon Soil Conservation District (Exhibit 2, Attachment 8c), Idaho Transportation Department (Exhibit 2, Attachment 8d), Santa Clara County Code Enforcement (Exhibit 2, Attachment 8e), and Santa Clara County Department of Environmental Health (Exhibit 2, Attachment 8f), Idaho Transportation Department (Exhibit 9, Attachment 1), Canyon Highway District No. 4 (Exhibit 9, Attachment 2), Canyon County Sheriff (Exhibit 9, Attachment 3), Marsing Rural Fire (Exhibit 9, Attachment 4), Marsing Ambulance District (Exhibit 9, Attachment 5), Canyon County Ambulance District (Exhibit 9, Attachment 6), Caldwell's Economic Development Director (Exhibit 9, Attachment 7), Destination Caldwell (Exhibit 9, Attachment 8), and the Idaho Department of Environmental Quality (DEQ) (Exhibit 9, Att. 9). There was a review of the soils information. The site is in a nitrate priority area.

The applicant is proposing a centralized water system located on an adjacent parcel and installation of an engineered wastewater treatment facility on a different adjacent parcel. The

parcel is not located near city services. Conditions imposed by staff require a potable water supply and wastewater disposal to be provided by systems approved by DEQ and Southwest District Health, and for approvals to be provided to the County before the uses commence. The County Engineer spoke with Dab Smith at DEQ who provided additional information regarding the DEQ approval process for water and wastewater. They will require the system to go through proper approvals demonstrating adequacy of the system for the new use. Adequate subsurface wastewater disposal will likely need to be a large soil absorption system. Site specific conditions and details will have to be considered by DEQ as the system is planned and designed. Access is proposed on Lowell Road and Highway 55. An updated traffic impact study was conducted to address additional information needed by ITD and CHD, and both agencies provided traffic mitigations for the proposed use. With the number of days/events planned, impact of direct traffic does not meet any of the criteria for requiring mitigation except: Lowell Rd and SH-55 (Sunnyslope Road), westbound right-turn lane on Lowell Road, Access B and SH-55, stop controlled T-intersection, Northbound right-turn lane, Access C and SH-55, stop controlled T-intersection, annual traffic control plans including temporary barricades restricting all traffic movement to west bound only from Access A (Lowell Rd), dynamic message signs posted a minimum of 72 hours in advance of events 1 mile south of Lowell Rd., and one mile east of Chicken Dinner Road, and additional notifications to residents in 5 mile radius. A meeting was conducted with Development Services staff and the applicant with providers of emergency services agencies after the appeal was filed. Following this meeting, comments from four agencies were received. Exhibit 9, Attachments 3, 4, 5 and 6. Comments from the public were received where the topics primarily involved economic impact of proposed agritourism and supportive nature of project for wineries, compatibility with existing uses, traffic, emergency services response, noise, and preservation of land for agricultural production.

Testimony in support of the appeal was as follows:

Bill LeClerc, who lives in Los Gatos, California, testified they have a family-run business that has developed, constructed, and operated what is recognized on a national level as a top 10 outdoor concert venue and throughout their 25 years, they have been excellent members of the community. They have roots in this area and one of their partners is a fourth-generation Idahoan, and they are excited about the opportunity to integrate with the Sunnyslope area to deliver a world-class experience that will benefit the entire region. They have worked extensively with the agencies and staff, and they agree with the conditions of approval. They have engaged with community members who have a significant vested interest in continuing agriculture in the region and who support their project.

Deborah Nelson is a land use attorney who represents the applicant and said they agree with the draft findings and conditions contained in the staff report. The special event facility use is conditionally allowed in this agricultural zone, so the question is what conditions are appropriate to place on the use in this location to mitigate impacts on surrounding properties and services. The P&Z Commission issued supportive findings for much of the project but found additional information was needed regarding traffic, EMS, and sound and lighting, to ensure compatibility. They now have additional information and specific conditions to mitigate potential impacts. ITD

has provided comments on the traffic impact study (TIS) and identified the specific mitigations. Canyon Highway District No. 4 (CHD4) has commented they agree with ITD's recommended mitigations. ITD approved the scope and the conclusions in the traffic study which found that Highway 55 has sufficient capacity for this use. ITD has plans to expand this section of Highway 55 in the future, but even as a two-lane highway it has a capacity of 3,200 vehicles per hour. Peak volumes from Hwy 55 and this project plus all existing and background trips is 1,850 vehicles per hour. Traffic impacts from Sunnyslope Ranch will occur only in a limited season April through October and at limited times around events. The applicant will use event staff to control the inflow and outflow of cars and it will be efficiently managed using temporary traffic constraints required by ITD and CHD4 to keep event patrons off local roads. The applicant will staff events with certified EMT's onsite to address immediate medical emergencies and will implement fire protection measures. The Marsing Rural Fire District's comments state that service is available to provide the site with adequate fire and emergency service response times. The Canyon County Sheriff's letter focused on traffic impacts on Hwy 55, Chicken Dinner Road, and Lowell Road, but the approved TIS has confirmed that Hwy 55 can handle that expected vehicle volume even at the peaks. The applicant will follow the conditions of ITD and CHD4 to use those temporary barricades to protect Chicken Dinner and Lowell Roads. The Canyon County Ambulance District proposed conditions that staff has incorporated including to provide advanced notice to the district of all events to have a minimum of two certified EMT's on site, and to designate the nearest helicopter landing zone with the district chief. Sunnyslope Ranch would generate significant tax revenue to help fund services. Based on preliminary sound testing, other venue operations and P&Z Commissioner Nevill's request at the prior hearing, the applicant has proposed, and staff has incorporated a condition of approval that sound levels will be limited to 85 decibels measured at the property line. The applicant will continue to study and work with the sound engineer when the project is designed to ensure appropriate orientation, buffers, and sound barriers to meet this condition and protect the neighbors. The P&Z Commission found that Sunnyslope Ranch is consistent with the comprehensive plan. It supports policies that encourage tourism expansion and development, a diverse business sector, and agricultural and nonagricultural uses in the same area. It will support existing agricultural uses and businesses in the area by providing a venue for retail sales of ag products and by attracting visitors to an area who will spend money at area restaurants, wineries, and stores. It will direct tax benefits to the County and help increase the property values of local wineries and businesses growing the property sales tax base for the community.

Todd Lakey is a land use attorney who supports the applicant and his testimony emphasized items related to fiscal benefit and the economic development benefits from the project. This is marginal farm ground and it was part of the reason the Symms selected this site. They also selected this site because of its acoustic benefits and the buffering that's provided based on its location. They are taking a low contributing piece of ground and turning it into a substantial economic contributor to local government entities in the form of tax revenue and a substantial economic contributor to local business and with that comes increased tax revenue from those businesses and it also adds to the businesses' benefit. The current assessed value for the property based on the Assessor's valuation is \$370,000 and when multiplied by the levy rate it comes out to \$1,867 in tax revenue for Canyon County entities. The estimated value of the facility at buildout is \$25M which would generate \$126,1650 in tax revenue, nearly 70 times the tax revenue currently generated by this

property. Add to that the gross sales tax and that goes into the local government revenue sharing formula. The proposal will provide more revenue to agritourism businesses such as the local wineries, the AgVenture tour, and fruit stands and there will be additional revenue for local businesses.

Scott Gipson testified the Cities of Caldwell and Nampa are seeing a resurgence in their urban environments with new retail, restaurants and entertainment opportunities that have come to these communities and is tied to the growing reputation and expanding customer base of the many wineries in the Sunnyslope region. The work done in Caldwell to develop Indian Creek Plaza included a new vision for the downtown that celebrates and enhances the agricultural heritage of the region. Farm to fork dining, targeted agritourism efforts, and renewed optimism in the community have been the result. This project will further enhance the community efforts and make this region a destination that is unrivaled in Idaho. The Symms have been the primary caretakers of this region and one of the main reasons the wine region exists in the Sunnyslope region at all.

Jolynn Thompson is a resident of Marsing and she testified about the strength this venue could bring in for new commercial and industrial for jobs and businesses.

Dar Symms testified that Symms Fruit Ranch will provide potable water. They put a new irrigation line that is attached to a 500,000-gallon pond to go across the property and irrigates the subject property and part of the Symms Fruit Ranch property. The wastewater system has not been put in yet, but they plan to install it on part of their property on the other side of the highway. They have discussed it with engineers and talked about a processing facility with an overflow drain field, but it will mainly be a processing facility to turn the water back into irrigation quality water that will be pumped to the 500,000-gallon pond for irrigation. It will have 50 lbs. of pressure on the subject property, and the potable water system is fed by a 300-gallon per minute well that has a 40,000-gallon tank that will provide 80 lbs. of pressure to the facility. Symms will provide the pipes and will meter the water to the subject property. They have a purchase price for the property and there is an additional \$1 million to build the treatment site.

Jacob Cragin is a grower at Sawtooth and Skyline Vineyards, the largest vineyard in the state of Idaho and they sell to most of the wineries in southwest Idaho, and they are in support of this project and see it as a net benefit for primarily wineries and agritourism.

James Mertz, who is part of Symms Fruit Ranch, offered testimony about the U-pick orchard that will be next to this facility where they will have apples, peaches, and berries. Symms Fruit Ranch has been here for 100 years and this is a way to capture some attention in the valley with the sale of fruit.

John Starr is a real estate consultant for the Symms Family, and he said they have been having discussions for many years about how to move into the future. The Sunnyslope proper consists of 3,000 acres with 780 individual parcels, and over 70% of those parcels are five acres and smaller. Their goal is to maintain the essential character as a commercial agricultural area and they feel

the venue and other developments that promote agritourism are the way to achieve the continuation of the commercial agricultural activity, not by going with more residential uses. The Canyon County population today is four times what it was in 1970 so stopping residential growth is one of the ongoing goals of agritourism. They didn't realize in the 1970s with the creation of the Ste. Chappelle Winery that they were creating agritourism and continuing with that tourism activity is the best way to continue agricultural activities. The essential character of the area seems like it's moving away from agriculture, and the Symms want to focus on bringing it back to and anchoring it in agriculture with this use.

Elizabeth "Liz" Dodson testified she is the "E" in EW Real Estate from Los Gatos, California. She is a fourth generation Idahoan who attended Kuna high school and Boise State. She is part of a family-owned business that hopes to bring to the area a venue that is not like what many people perceive as a "concert-centric" venue but rather more of a boutique. At their California venue people come early to have dinner where local up-and-coming artists entertain before the main act comes on. They try to support the music industry and the community people in the area. The venue gives them the opportunity to also do a lot of philanthropic events to support the local community.

Bill Hirschman testified that he is the "W" in EW Real Estate, and he believes staff has done an excellent job in looking at everybody's interests and summarizing the facts. At the time of the P&Z Commission hearing they did not have a traffic impact study that was 100% complete, but they do have more information now. He has spent 25 years dealing with their current venue in California. He is available to answer questions about the venue operations.

Mary Symms Pollot grew up in Sunnyslope and is a transportation expert who drives large motor coaches and buses for a living. She wants to teach people where their food comes from, and she has been working on launching a business called *Amazingly Made*. She said the proposal lends to what is needed because people don't understand where their food comes from or what goes into the process, and if they can create a great experience in Sunnyslope where everybody gets to be a part of it and that we need to stop paving over farmland with houses. Regarding traffic conditions between I-84 and Sunnyslope, Ms. Symms Pollot said the biggest change is the corridor where they have added all the houses between I-84 and the turn to Sunnyslope; that area is awful and unsafe, and the road should have been expanded when they made the turn lanes. She emphasized the importance of planning.

Rheanna Allen, who is a marketing expert, gave testimony regarding the agritourism industry and what this will do for the community and the benefits it will bring. The applicants came to her agency for help in communicating and sharing information with the community. She believes the proposal will transform the Sunnyslope AVA in a positive way. This is smart growth, and it will be a beautiful venue.

James Nederend represents Koenig Vineyards and Scoria Vineyards and he testified that he and his wife come from families who have farmed for hundreds of years, and they want that heritage to continue in Sunnyslope which is why they are in favor of this project. Sunnyslope is not known

for seed crops, the rare specialty crops that make the Canyon County farming industry unique are grown in Wilder, Huston, Greenleaf, and Caldwell on flat gravity irrigated fields. Orchards and vineyards are farmed in far greater abundance in surrounding states, much more profitably than in Sunnyslope. He said it is no longer sustainable for local farms to sell fruit at wholesale prices while competing with Washington, Oregon, and California. The biggest threat to the farmland in Canyon County is not a concert venue on a 40-acre orchard in Sunnyslope on a highway, it's housing. Farmers in Sunnyslope are left with three choices: continue to farm at a loss until generations of equity is lost; sell their land for houses while they can still make a profit; or move into agritourism and sell directly to consumers. This is a reality of how hard it is to farm the rocky hills and volcanic soils. The views of the farms, orchards and vineyards that create the quiet serenity that people enjoy are impossible to create and maintain as they stand today. Agritourism is how they will keep the land being developed for houses, and it's how we keep the essential character of the area.

Neutral testimony:

Gregg Alger testified that he and his family farm on Chicken Dinner Road and they also make wine, and they are one of the largest wineries in Idaho. He is in a neutral position because this concept is exactly what they looked to do when they started with Roger Brooks in 2013 and the concept developed as an agritourism-related concept. It was identified that the number one asset in this community is agriculture and that if we leverage agriculture to bring tourism to agriculture we can ultimately build an unbelievable experience for tourism and guests. The other thing identified in the plan was to do everything we can to preserve the ag ground. There are 120 different crops grown in this community: fruit, seed crops, vegetables and those crops are paramount for the continuation of the GNP for our county. Mr. Alger said the concept is beautiful, but it needs to be placed near community services or within city limits that can support this kind of a project. Agritourism is about taking farms, crops grown on those farms, and building value and integrating a brand that can be sold retail and it's the job of the Board of Commissioners to decipher the meaning of agritourism.

Hai Longworth lives near the proposed site and her testimony centered on the concern about the negative impacts the proposal will have on birds and the Deer Flat National Wildlife Refuge. She said a complete study should be done on how the facility could impact wildlife within a 5-mile radius with the results being sent to the Idaho Department of Fish and Game, and the U.S. Fish and Wildlife Service to determine the need to mitigate any adverse impacts. She also spoke about how exterior lighting should be reviewed by an expert to see where it would affect migrating birds.

Testimony in opposition was as follows:

Leanne Ferguson lives within two miles of the proposed venue, and she is concerned about the impact the traffic and sound generated by the venue would have on her horses. Horses have a keen sense of hearing and loud noises spook them and cause them to run – through fences and into traffic. She has personal experience with the tragic results of when a horse was spooked by

a loud noise and ran into traffic and was killed. She is very concerned about the level of noise generated from the concert venue.

Tara Bailey offered testimony on behalf of a planning group of 50 people, and she thanked the Symms and other historical families of farmers and ranchers for putting their life's work into the beautiful peaceful area they get to experience. Ms. Bailey has 20 years of experience in strategic operations planning and production, explosive and occupational safety and workforce management, while serving active duty in the Air Force. As a safety professional she has evaluated and developed hundreds of site plans and many environmental impact assessments and collaborated on design and construction criteria for large-scale projects. Some of those in the planning group are/represent farmers, ranchers, winery owners and workers, nurses, builders, beekeepers, law enforcement, students, and truckers, to name a few. They do not have professional developers or economic consultants within the group, but they all understand the importance of a strong sustainable economy and smart strategic planned growth, and they will be the most affected by the Board's decision. The team will focus on traffic, lack of service, characteristics of the area, and quality of life. The applicant has stated they are not farmers, and they will not farm on this land therefore the subject parcel does not meet the criteria for agritourism or agritourism activity. The applicant's letter of intent clarifies the proposed special events facility is the primary use of the parcel, with accessory uses and activities being supported by agritourism. The concert venue requires a farm or ranch, not the other way around. Will the proposed use be injurious to the other properties or negatively change the essential character of the area? Will there be undue interference with existing or future traffic patterns? The answer to both questions is yes. Ms. Bailey referenced the TIS and said it contains erroneous information and should be rejected. She further testified about traffic impacts, proposed widening plans, construction not beginning until 2027. The Canyon County Sheriff's Office believes this section of Hwy 55 cannot support the amount of traffic based on the current roadway design of two lanes between South 10th Avenue, Farmway Road and Hoskins Road. She referenced agency comments related to the TIS. Concerns include excessive traffic, noise, vibration, air pollution, and adverse health effects as well as property value. Increasing congestion will result in the community being isolated from fire, ambulance, and other emergency services.

Patricia Anne Lodge testified she would support a small music situation with a cidery which would go along with agritourism, but she does not support a large music venue that would impact a lot of people in the valley. She spoke about how the Ste. Chappelle property has a nice music venue and it does not impact the community or traffic across the lake.

Steven Bair has lived a ½ mile from the site for 40 years and he has managed 400 acres of the orchard owned by the LDS church. He hears the noise from Ste. Chappelle, but they do not have that many events, but the proposed venue will be different. He farms both day and night in the orchard and the nighttime activity is noise in its own right. He is concerned about the impacts on farming and the traffic safety conditions, especially with semitrucks delivering to the area.

Daniel Bair, who works at the orchard with his father, is concerned about the impacts the venue will have on traffic in the area. There are tractors on the road and crossing the road and he is concerned for the safety of the employees.

John Ottenhoff testified about his concerns regarding noise, lights, traffic, and the impacts to wildlife and migratory birds. He said the Lake Lowell lower dam is a popular destination for cyclists, but there is nothing in the TIS about nonmotorized traffic. It's a unique environment and the area should be protected. He believes the proposal is misguided and will bring little benefit and much damage to the area.

Colleen Schaub is opposed to the proposal due to lack of emergency services especially as it relates to the Sheriff's Office. She lives on Orchard Avenue and has tried to reduce the speed from 45 mph to 35 mph because the road is dangerous and has many blind spots. There are walkers, joggers, and cyclists in the area; dogs and wildlife have been killed in vehicle accidents. The traffic is horrendous, and Hwy 55 will be the main road to the facility, but people will use Orchard Avenue. There is a lack of Sheriff's patrol officers, and although the salary increases have helped retain officers we now have to work to get more law enforcement and we are not able to take on this venue.

Jeff Hibbard lives a mile from the subject property and agrees with the opposition testimony. Should the Board approve the application, he asked for consideration of the following conditions of approval:

- In the event the venue goes into bankruptcy, Canyon County would be granted first right of refusal for the purchase of the property.
- If the Sheriff's Office is required to deal with any situation at the facility, or a situation caused by its operation, or a request for assistance by the facility's owners or managers, the full cost of the office's response is to be paid by the facility's owners.
- Noise levels created by the operations of the facility shall not exceed 80 decibels at a distance of 300 feet from the facility. This specification covers all frequencies audible to humans, nominally in that 20 hrz to 15,000 hrz. Testing occurs no less than every five events and reporting the results to the County on a quarterly basis. Three violations of this condition shall result in a permanent shutdown of the facility.
- Events shall not take place on heavily travelled days, such as Easter, Labor Day, July 4, Memorial Day, Thanksgiving, Christmas, New Year's Eve, evenings of the Caldwell Night Rodeo, and Snake River Stampede to minimize potential strain on County resources as they would be required to watch those over events.
- Any amplified audio event will have a hard end time of 10:00 p.m. That precedent was set by the County in Case Nos. CU2007-86, PH2016-54, and CU2019-0029 (the last two cases

are related to the neighboring properties across Lowell Road.) Allowing an 11:00 p.m. end time would be injurious to neighbors who have already had those CUP's approved.

- Hours of operation end for any special event limited to 11:00 p.m.
- Failure to adhere to the 10:00 p.m. end of amplified music will result in a progressive fine. Four violations in six months would be grounds for closure of the facility.
- Alcohol sales to end one hour prior to the scheduled end of the event that evening.
- Due to the increased risk of a mass casualty incident, the County will require the applicant to fund a bi-annual mass incident response training with CCSO mutual aid responders and regional ambulance providers. The first training is to occur prior to the operations of the facility opening.
- Based on the Sheriff's Office written comments, the applicant will fund one fulltime employee at the Sheriff's Office to address the additional workload of traffic management/incident responses to staff May through October in order to relieve the burden placed on the Sheriff's Office by this venue; i.e., manage off-street parking, private patrol cannot police that, and CHD4 or ITD will direct traffic if they are not able to police so County resources need to enforce.
- The applicant is to follow all codes and laws relating to traffic management on a state highway, specifically staff permitted to direct traffic on roadway.
- The applicant shall work with appropriate road and highway departments to procure and install non-parking signage on Hwy 55 and Lowell Road, east and west of the venue.
- The U-pick property and cidery must be owned by the same owners of the concert venue to ensure the investment in agriculture. Failure to maintain an agriculture footprint will be grounds for permanent closure of the facility.
- U-pick orchard and cidery size and hours of operation must be defined and agreed to with the County to ensure they are not just a token gesture to the agritourism designation. Closure of either facility could result in permanent closure of the facility.
- The cidery must be in place and operational prior to the operation of the concert venue.
- At a minimum, the blind curve at Hoskins Road and Hwy 55 must be addressed prior to the commencement of the operations.

- The applicant shall provide cell service analysis to ensure the towers in the area are not overwhelmed with concern attendees blocking 911 calls from nearby motorists that might have emergencies.
- The applicant shall complete a helipad and contract for air ambulance services to be on standby during events.

Bernard Stahl lives a half mile from the subject property, and he gave testimony about a car accident he was involved in. He likes the concept of the venue but does not believe this is the appropriate location for it given the dangerous roads in the area.

Eldon Betts gave testimony regarding the Symms family legacy and his teaching experience and how it was important to inform students about agriculture, as well as farming, ranching and policymaking affecting agriculture. There were several times he and his students would hear Steve Symms speak at events and he always made it clear about the importance of preserving and protecting the ag lands and how underground drinking water needs to be managed. He said Mr. Symms stood out in Washington, D.C., because he had a vision of our future and our ever-growing need for food and clean drinking water. Mr. Betts is disappointed about the proposal to build on fertile farm ground. The Sunnyslope area has been a mecca in agriculture and this proposal could end agriculture in the Sunnyslope area. He said it's a wonderful concept, but it's in a bad location and it should be closer to businesses, hotels, gas stations, etc.

Steve Uhlmer agrees with others who have said this is a great idea, but it is in the wrong location. We don't have the infrastructure and he does not believe development and impact fees will cover what's going to be necessary for what's coming to this area. Fire suppression needs to be above 300 gallons per minute. The cost will be too much for the citizens who decided they wanted to live there because of the existing zoning.

Irma Noe is a 4th generation Idahoan from this area, and she has not heard local businesses talking about how this will benefit the residents. She believes it will ruin homes. Her family no longer farms but she has seen the impacts from traffic and out-of-staters moving in and building million-dollar homes and leaving them vacant and the residents must pay increased property taxes. She wishes we could grow in the manner we need to grow and not always think about the money – we need to think about the residents.

Barbara Parshley testified that she spoke with CCSO officers about the potential impact this facility would have on Sheriff's Office operations. There are 32 officers with 2 in training; they need 48 for overall patrol. The office is requesting 12 deputies over the next 3 years based on our present population without the amphitheater. Each shift has 5-7 deputies at a time. The final staff report states that the crash rate on Hwy 55 is 11 times higher than that of the average state highway in Idaho. Crashes in this corridor also tend to be more severe than on the average highway, and additional traffic will increase the dangers in this corridor and the intersections. With the current shortage of deputies and jail facilities, the office has a catch and release plan for offenders

arrested. News articles said Canyon County is so concerned about the dramatic rise in violent crime that a partnership has been formed involving federal, state, county, and city law enforcement. The proposal will bring additional tax burdens to citizens, and negatively impact law enforcement services.

Kay Devenport testified that the residents of Sunnyslope moved to the area for the quality of life. She has lived in the area since 1974 and is concerned about the aquifer. There were droughts and not enough water to irrigate, and the orchards drilled huge wells which caused a lot of water to draw sand or go dry and those wells either had to be re-dug or new wells installed.

John Kernkamp testified that the P&Z Commission FCO's determined that the proposal was in keeping with the 2020 comprehensive plan, but he disagrees; 8 qualities of life are an important consideration in land use planning. The 2030 comprehensive plan continues this concept in its vision to ensure quality of life for citizens. The event center will negatively impact the lives of many people, and the dramatic increases in crowds of people, traffic, and sound and light pollution as well as the urban anonymity that breeds increasing crime is what can be expected. The development is likely to trigger a follow-on effect stimulating more requests for urban-style projects eventually resulting in the conversion of Canyon County into big city living.

Madeline Hall lives $\frac{3}{4}$ of a mile from the proposed amphitheater and is a fourth-generation family member on the farm her great-grandfather bought in 1917. One of her biggest concerns is how the proposal will affect the tranquility of the slope. It will be noisy with added traffic, sound checks, and concertgoers and performers for one-fifth of the year. She is opposed to the concert venue, but she would love to see an apple barn and cider mill that features local harvest in a variety of ways. She is not against development on the slope, but any development needs to protect not only agriculture but the residents and their property.

Lynette Enrico supports farm to fork but this is a bad location, and she believes the proposal would change the essential character of the area and negatively impact the quality of life. She supports the testimony of Tera Bailey and Gregg Algers.

Margie Robinson is from a fifth-generation farm family, and she spoke of the importance of farmland - no farms no food.

Anne Delgado testified about the traffic impact of Hwy 55 and Lowell Road as well as the impacts to surrounding smaller roads. She is also concerned about the impacts to wildlife.

Paul Panther referenced an article from USA Today on the 10 best wine regions and the Snake River Valley AVA is No. 6 on the list. The CHD4 report indicated a potential impact of 1,000 vehicles at peak hours for events at the proposed facility. He is concerned about the speed limit on Hwy 55 and adding significantly more traffic to the roadways. Mr. Panther said agritourism is defined as providing limited liability for agritourism professionals against injury to people coming to those kinds of activities and that's because agricultural activities, unlike going to a concert, are inherently dangerous in some respects as you have domestic animals, potentially wild animals, and farm

equipment that can be dangerous. What's contemplated in this proposal is not within the contemplation of agritourism.

Amy Bitner testified she is part of the family owned Bitner Vineyards and she spoke of the massive tractor traffic on the roadways. While it's been stated there are no seed industries in the area, the reality is there are a lot of tractors in the area. This is a beautiful area and people come to the area to get away from the congestion. Most of the wineries in the community close at 5 p.m. or 6 p.m., and people come in and out throughout the day, so having thousands of people come to the area at one time and ending at 11:00 p.m. is like nothing the community has seen. She has a background in emergency services and has worked with police, fire, ambulance, and emergency management where the focal point was emergency preparedness, public safety, and crowd flow simulation. The video she provided to staff today is from July 3rd and it is an aerial view of the valley showing 200 cars parked all over for the July 3rd fireworks. The venue is proposed to have a parking lot for 2,500 people but when the music stops at 11:00 p.m. there are only two entrances for the vehicles to exit and they will either exit off Hwy 55 or Lowell Road. People will park off property alongside the roads, on canal banks and other property. There were no police service or people managing or maintaining the parking situation for the July 3rd event. There are no sidewalks or lighting so if people choose to walk across Hwy 55 that is going to cause some major impacts. She is concerned about people drinking and driving in the community. There could be 60-70 concerts if the proposal is approved and questioned what will happens with EMS services that are strained when other events are happening in the valley the same evening. The Board needs to look at the entire impact - not just this event - on how EMS will be able to handle such a massive project.

Kim Johnson testified regarding concerns of keeping Canyon County one of the top agricultural seed producing counties in the nation. This area contributes greatly to Idaho's standing as one of the top 5 seed producing counties in the nation and it will affect the demise of many of those ag businesses that service that seed industry. As farm and livestock operators for 40 years she asked the Board to review the letter in the file from Johnson Custom Combine as well as a list of the current agricultural businesses in the venue area that have signed a petition along with numerous employees stating their objection to this proposal. This letter consists of current seed companies, livestock and training facilities, hatchery, bee and insect pollinating companies, wineries, custom harvest companies and several other ag related companies that exist in the area. Her custom harvest business covers 5,000-6,000 acres each year between June and November primarily in and around the venue area. The machinery they use travels 20 mph and takes up 18-36 feet in road space in an allowable 24 feet of road width. Numerous vehicle and machinery accidents have already happened. The venue will disrupt the nature and occupations of this area. You cannot have this type of urban agritourism impact in this area and keep it a prime seed producing area.

Geri Smith testified that of the 98 in favor of the proposal, 81 of those were form letters and they represent finance, relators, developers, and a paid consultant. Regarding emergency services, the EMT vehicles do not transport - they are not paramedics. If something happens on site it will take a minimum of 20 minutes assuming an ambulance is sitting at West Valley Medical Center with no traffic issues. She said the Marsing Volunteer Fire Dept. has had a 40% increase in calls in one year

without this proposal. Between 2020 and 2021 there was an increase of 1,000 accidents. We are getting into the 100 deadliest days - and we've already gone past 50 fatalities.

Janet Cryder read the written testimony of Mary Confer who lives a half mile from the site. Her family has lived there for 50 years and said the area has seen a lot of growth in commercial business, but the difference between this proposal and earlier commercial development is the lack of agriculture. Growth should be well planned. This proposal is inconsistent with prior conditional use permit approvals, specifically quiet hours, and concessions of amplified music. This proposal is 8 times larger than the largest event site in Sunnyslope and it does not fit the essential character of the area.

Jim Streicher is a retired law enforcement officer, and he gave perspective on how he saw Sunnyslope from the patrol side. He has heard citizens talk about how great it is that the Sheriff's Office is hiring people, but it takes about 3 years from recruitment to patrol. During his employment with CCSO they were lucky if they had five deputies on a shift. All it takes is a crash and some domestic violence incidents to utilize all the county law enforcement resources.

Darryl Ford stated he participated in a survey in 2019 on rural areas where people said they didn't want to have growth. They want to raise their children in the country and that's why he moved to the Sunnyslope area. He does not believe the venue is a good fit for the area. It would be nice to have bridle trails, a veterinary, and a feed store because those things would match the area. He expressed concern that people go from winery to winery sipping wine and driving on the roads and that doesn't make sense from a safety standpoint.

Brian Burnham is retired from the safety management field, and he offered testimony regarding decibel levels. The applicants have said the venue will be 85 decibels, but he said as today's meeting was getting started the decibel level in the meeting room was nearly 85 decibels. The noise from the music and concertgoers the decibel levels will be 120 or 130.

Michael Devenport said concerts can be held at the fairgrounds or the Idaho Center. His concerns include safety, sound, and bad drivers.

Wayne Rundall testified that he works with the Sunnyslope Community Coalition. He thanked the farmers and ranchers who have been here for years, but this proposal is a concert venue, not an agritourism destination. It does not meet the goal to support and encourage the agricultural use of agricultural land. It does not protect agricultural activities from land use conflicts or undue interference created by existing or proposed residential, commercial, or industrial development. The CUP makes agriculture an accessory use of the concert venue. If the risks inherent to the use differ greatly from those related to the natural conditions, animals, farm structure and equipment it is likely not agritourism. The CUP would take 45 acres of farmland and turn it into a concert venue for 5,000 people, 2,500 cars. The wine tasting facility would not be open unless an event was taking place at the concert venue about 70 times a year and it's clear that the operators of the concert venue will not be involved in any agricultural aspect of agritourism. It will change the essential character of the area.

Becky Hartmann testified that the subject property borders her land. She moved to the area five years ago to this peaceful area with plans to build her future forever home across from her existing driveway whose back deck will now be facing the concert stage. Hwy 55 is two lanes with no shoulders, other than in Sunnyslope. Sunnyslope is 3 miles long, and Napa Valley is 30 miles long and the two should not be compared. A vehicle accident will have traffic backed up for miles. This is not agritourism, nobody comes to a concert to pick apples. The cidery would be great if it wasn't a token facility to pretend it's agritourism. This is not progress, it's an annihilation of the Sunnyslope wine country vine. Her neighbor is putting in a vineyard and tasting rooms and that type of use belongs there. Sunnyslope is a treasure, and it should be preserved as agriculture.

Craig Davis lives a mile from the proposed site, and he owns a winery that was established in 2015 and he believes the proposal will detrimentally change the character of the area. When he went through the permit process for his winery he was denied by ITD because 150 cars were going to be turning off Hwy 55 towards his property onto Lake Lowell. He was eventually approved after showing that people could turn on four different roads. The music venue for 300 seats has been declined and now there is a request for 5,000 seats which he finds baffling. He supports the cidery and U-pick orchard, but a music venue doesn't make sense at this location.

Mark Wendelsdorf offered testimony on behalf of the Caldwell Rural Fire Protection District. The proposal is not located within the district, but simply travelling two miles north or two miles east you will enter the Caldwell Rural Fire Protection District. The impact from the traffic generated by the events will have an impact on their ability to deliver services in the area. From the crest of the hill on Hwy 55 to 10th Avenue the district has full responsibility for that area, and they have shut down traffic because that area is so fast and so narrow the only thing they can do is shut down traffic for the safety of the responders. He referenced the TIS regarding routes, estimates, and delayed response times. The Caldwell Rural Fire Protection District Commissioners are opposed to the project. In a May 11, 2023, email from ITD it stated the current plans for Hwy 55 to be widened from Middleton Road to Farmway Road should be completed in early 2027. Farmway Road to Pear Lane expansion is unfunded at this time. The fire district commissioners believe the additional traffic flow before and after the event will lead to an increase in the number of crashes on an already busy section of road. With the additional traffic and delay in road improvements it will slow emergency vehicles from responding to 911 calls. Once the road has been updated and able to handle the traffic flow the district believes re-evaluation would be in order for this project or similar-type project.

Nancy Tiffany lives five miles from the venue site. She moved from an area in another state that was very similar to the Sunnyslope area where they held two main events every year that brought in thousands of people to the area and while the income generated benefitted a small number of people the inconvenience and danger involved and the conditions it created impacted thousands of lives.

Danny Trivett said there was testimony that there are only five deputies on a shift and that's nowhere near what is needed to respond to a catastrophic event. The residents in the area will be affected by the noise, lights, traffic from the venue, and delayed EMS response times.

Julie Rundall said the request is for an exception to the agricultural zoning by a newly formed entity headquartered in the San Francisco Bay area that has never turned a spade of soil in Canyon County. She urged the Board to uphold the P&Z Commission denial.

Hipolyta Delgado is a retired law enforcement officer and has experience with similar venues and the incidents that occur there such as assaults, stabbings, and shootings. We do not have the manpower coverage for this proposal. Additionally, he is also concerned about the noise.

Kris Pyell lives .6 of a mile from the proposed event center and she is concerned about the negative impacts on the Sunnyslope community in the form of immense traffic, visual appearance of the area, strain on EMS, and deputy responses and the overall effects to humans, livestock, migratory birds, raptors, and bees. With this number of people gathering, 5G towers may be necessary. Financial hardships will impede the residents, and crime has drastically increased. Are we prepared for a mass casualty event?

Ann Ledford is opposed to the proposal because the amphitheater does not fit the character of Sunnyslope. Both the 2020 and 2030 comprehensive plans speak to the preservation of agriculture, and she questioned how the concert venue helps the future of agriculture, agritourism, and the Sunnyslope area. Agritourism does not include commercial events or commercial entertainment. She believes a cidery and a U-pick orchard would benefit the area. Concerns include traffic and safety. She spoke to ITD last week and they said there is mitigation for the venue to have three exits onto Hwy 55, but they would not tell her how the traffic would flow into the venue. Who will monitor the mitigation and make sure they happen? She lives on True Lane, off Hwy 55 and there are a lot of skid marks at Lowell Road and True Lane because nobody pays attention.

Marianne Reczek-Phoebus lives 3 miles outside of Marsing and testified that the proposal will impact the serene agricultural area she lives in with increased traffic, trash, and litter and the potential for vandalism at Lizard Butte.

Gregg Dunlap is the owner of Dunlap Hatchery which has been in business since 1918 and produces over 2 million birds a year. They also farm several hundred acres. He testified about how noise affects poultry and how excessive noise can cause conditions where birds will not move, or they will become frantic where they pile up and suffocate the birds below which can result in the loss of thousands of birds in a matter of minutes. The hatchery needs electrical power to run incubators and if the power is disrupted the incubation process is delayed, which can cause problems.

Commissioner Holton made a motion to continue the hearing to July 26 at 9:00 a.m. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 5:30 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM

CALDWELL, IDAHO JULY 26, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$98,552.00 for the Fleet Department (PO #5571)
- Dell in the amount of \$24,636.82 for the Information Technology Department (PO #5694)
- Right! Systems, Inc., in the amount of \$8,800.00 for the Information Technology Department (PO #5695)
- Dell in the amount of \$7,691.20 for the Information Technology Department (PO #5696)
- Titan HQ Towers in the amount of \$33,468.00 for the Information Technology Department (#5698)
- Symbolarts, LLC, in the amount of \$1,016.00 for the Sheriff's Office

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Capitol Bar to be used 8/5/23 and 8/19/23; and County Line Wine to be used 7/28/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Ryan Vanderwerf, Juvenile Probation Officer I.

CONTINUATION OF A PUBLIC HEARING - THE APPLICANT, BORTON-LAKEY LAW REPRESENTING EW REAL ESTATE, LLC, IS APPEALING THE P&Z COMMISSION'S DECISION REGARDING THE DENIAL OF CASE CU2022-0034, A CONDITIONAL USE PERMIT (CASE NO. CU2022-0034-APL)

The Board met today at 9:00 a.m. for the continued public hearing in Case No. CU2022-0034-APL, where the applicant, Borton-Lakey Law representing EW Real Estate, LLC, appealed the P&Z Commission's decision to deny Case No. CU2022-0034, a conditional use permit to allow an agritourism oriented special events facility use within an "A" (Agricultural) Zoning District. Present were: Commissioners Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, DSD Office Manager Jennifer Almeida, DSD Planner III Michelle Barron, DSD Planner II Samantha Hammond, County Engineer Devin Krasowski, Deputy PA Zach Wesley,

Deborah Nelson, Bill LeClerc, Dar Symms, John Starr, Geoff Mathews, Lea Mathews, Janet Crider, Jennifer Crumm, Mandi Williams, Tamera Frans, Tara Bailey, Kris Crookham, Judy Leathers, Terry McClellin, Mark Naillon, Elisha Brooks, Mark Wendelsdorf, Keri Smith, George Crookham, other interested citizens, and Deputy Clerk Monica Reeves. Today's hearing was continued from July 25, 2023.

Testimony in opposition resumed as follows:

Janet Crider lives in Marsing and is concerned about the impacts to emergency services for Marsing residents if this project is approved. She also expressed concern that no one in Marsing was notified of the hearing for this case.

Jennifer Crumm read a letter from the Sunnyslope Community Coalition which stated they object to Senator Lakey acting as counsel on behalf of the applicant as it is a potential conflict of interest and a potential ethics violation. They will submit an official records request for all forms of official records pertaining to this hearing as they pursue counsel from the higher authority. Additionally, when Senator Lakey submitted the application and performed additional actions on behalf of his client they feel there may have been undue influence on the public servants to process the applicant's incomplete application.

Mandi Williams testified she hopes to build a home on her mother's property which is on Hoskins Road, and she is concerned about the negative impacts to the character of the area if the project is approved. She also has concerns about traffic and the lack of infrastructure.

Tamera Frans testified the construction that's going on between Karcher Road and Pear Lane started in 2013 and it was a study that began to look at the mobility, safety, and capacity out to 2045. There has been unprecedented growth and her concern is if by the time this gets built out that road is going to be under construction for quite some time and the other alternative will most likely be Farmway Road. She said the Canyon Highway District and the City of Caldwell are trying to get a roundabout at the worst intersection with the most fatalities which is at Ustick Road, and Homedale Road. Increased capacity on both roads during construction will be a nightmare. With the unprecedented growth, with the plans it took from 2013 until now to get funding to right-of-way, to get the plans, the designs approved, it's going to be outdated by the time it's put in place and the additional capacity on a regular basis on this road is going to push it over the edge. There is a section that is going to be approximately 4 miles, from Farmway to Pear Lane where the plans haven't begun yet. The alternate route is to come across Chicken Dinner Road where she has witnessed many horrible accidents. She questioned what this will do to property taxes in the area and is worried it will increase to a point the residents will no longer be able to live there. People parking along canals and leaving trash will impact the neighbors.

Tara Bailey read a statement on behalf of Laura Jean Rispens. The traffic study did not factor in potential customers pulling empty livestock trailers through the route. Increased traffic with people speeding along Highway 55 with people heading to a proposed amphitheater will only serve to increase the stoplight racing behavior. She likes the farm to fork concept, the U-pick

orchard, and the cidery but she does not support the amphitheater which is too large for this rural community.

Kris Crookham testified that she travels Highway 55 multiple times a week from May through November, and she is opposed to the venue because as it is not agritourism, it's the entertainment industry. She would support the venue inside the city of Caldwell where it can be supported. She referenced the TIS report and said she did a public records request with ITD for the route and the number one thing that stood out is the incremental operational analysis that goes from 2019 to 2045 where each of the graphs indicate there are major intersections along Highway 55 that will continue through 2045 as they widen to a 5-lane road. The study does not include adding 1,000-2,000 cars. She does not think the TIS is accurate in its analysis. The second question she has on the TIS is it only addresses the 4-5pm travel window which is an insufficient analysis. She served on the Ada County Zoning Commission and when they adopted agritourism zoning ordinances they made it so it's an intimate, limited amount of people that will not be trespassing on other people's farms. Ms. Crookham's family has been farming for over 100 years and the Symms family is dear to her heart, and it is difficult to provide testimony today.

Judy Leathers lives one block northwest of the subject property and she is opposed to having her neighbors and herself subjected to self-indulgence of this overreach. She offered testimony by summarizing a few studies and articles on hearing damage stating that noise can act as a nonspecific biological stressor that is able to elicit reactions that prepare the body for flight or fight. Loud noise can cause health problems such as high blood pressure, faster heart rate, upset stomach, problems sleeping and problems with how babies develop before birth. Noise does more than cause hearing loss - it can impact your health or learning, and social life. Neighbors do not want to have to stay in their homes to be safe. 70-90 decibels can cause damage, but 120 decibels can cause profound hearing loss; some concerts are 139 decibels. She cited information that reported amphitheaters harm health. The majority of residents object to this proposal. Ms. Leathers submitted petitions signed by 402 people whose lives would be damaged if the application is approved. She urged the Board to listen to most of the public who are saying no to this horrible intrusion on their quality of life.

Terry McClellin lives a quarter mile from the site, and she testified about her concerns regarding noise and the negative impacts on wildlife as well as the negative impacts to the residents' health and quality of life. She is also concerned about the negative impacts to property values.

Mark Naillon lives in Marsing and is concerned about the negative impacts the proposal will have on the residents of Marsing. He testified about his experience developing land in California. He said a lot of the people who support the amphitheater do not live anywhere near the location so their opinions should not be counted. Mr. Naillon does not support the proposed location for this type of use.

Elisha Brooks is an owner of Kindred Vineyards on Frost Road and testified that we are meant to be stewards of the land, but developers have no motivation to alter their plans and will not be affected by traffic, lights, of the lack of safety and resources, however, the residents will feel the

effects of the development on a daily basis. Idaho recently won many medals in a regional competition and the wine region is growing over 30% every year and we have a century of winemaking just in Sunnyslope. It's been said there are only two options: Build a 5,000-seat amphitheater or bury Sunnyslope under houses, but she said a third option would be to continue the momentum and turn it into a world-renowned region with ciders, U-pick orchards, small shops, and hundreds of acres of vineyards.

Rebuttal testimony was offered by Deborah Nelson. Notice for the application was provided in accordance with County requirements with the notice radius at 1,000 feet. Also, the site was posted. There was an allegation about Mr. Lakey's representation of the applicant. He is bound to follow all ethical standards of the professional responsibility rules that govern lawyers, and there was an allegation that the County improperly processed the application simply based on his involvement. Ms. Nelson has full confidence in the County for exercising all appropriate ethical standards in their review and following their own rules and guidelines for processing the application. The applicant is not drilling new wells, they will use the Symms existing public water systems. The Symms are state-licensed operators of that system. The fire suppression pressure levels will be determined during design and will have to be approved by the fire marshal as part of any building permit application. The applicant will enter into agreements to secure water and wastewater to meet project needs before obtaining a building permit. The applicant has private security on staff to have a safe and welcoming environment at the venue. No drinking is allowed in parking lots, and they agree to end alcohol sales one hour prior to closing. The applicant and the Symms are committed to having a cidery and they will agree to a condition requiring the cidery to open contemporaneously with the music operations. Regarding the sound system, sound can be directed to minimize travel to the side, the system can use more speakers to provide sound in a directed pattern rather than relying on fewer sources that have to broadcast more widely. The building design is critical to shield and direct sound. The stage is oriented to face away from the closest neighbors to the south. The extensive Symms property on three sides also creates a significant buffer. The real control is Conditions 12 & 13 that limit sound to 85 decibels at the property and require a continuous measurement. The property line is the appropriate place to measure to ensure compatibility with other properties. There is sufficient parking on site to accommodate the guests, and the applicant will work to prevent offsite parking through event staff. Condition #19 requires all parking to be onsite. The applicant agrees to work with Canyon Highway District to install no parking signs on Lowell Road. The applicant will take trash from people as they exit the venue and walk to their cars and by sending out crews every morning after events to find and collect trash that may have been tossed in the area. The applicant will maintain a hotline posted on their website so that any facility-related issues can be registered and addressed quickly. ITD, Canyon Highway District, COMPASS is part of that consultation directs the scope of traffic studies for any project. They also have their own requirements that have to be followed as the traffic studies are prepared and then they review and provide comments and the studies are updated to reflect all comments. ITD directed the peak hours and days to be evaluated for this facility. ITD approved the scope and found Highway 55 has capacity to handle the use although this is not to say there is no traffic impact. The applicant's engineer responded to each of highway district's comments in a February 15 memo and incorporated the new items into the updated traffic study. ITD directed further updates that were needed resulting in the April 28

updated traffic study. They identified the mitigations required for the project. The highway district responded to ITD's letter to say they agree with ITD's required mitigations which have been incorporated into Conditions 15, 16, 17 & 18. ITD approved the scope and conclusions in the final traffic study which found that Highway 55 has sufficient capacity for the use. ITD has plans to expand this section of Highway 55 in the future, but even as a two-lane highway the peak volumes are within existing capacities, but this is not to say that there is no traffic impact. The applicant recognizes that the trips still put a lot of cars on the road in one interval. The conditions from the highway district and ITD help to address this by requiring temporary barricades to direct departing trips to Highway 55 and off of local roads. The applicant helps to control this by carefully controlling the outflow to limit the number of cars that exit the gate on the property at a time to prevent gaps and cars from stacking up at the next intersection. Several people testified about inadequate staffing at the Sheriff's Office but based on this year's budget hearings, for the first time in decades the department is fully staffed with patrol and jail deputies, with just two positions remaining in the jail. The Sheriff's budget proposes to add four new patrol deputies to keep up with population growth. The letter from the Sheriff's Office did not raise concerns about staffing or serving this site but was focused on transportation. Ms. Nelson stated Condition #19C requires the applicant to work with ITD, Canyon Highway District, Canyon County Sheriff's Office, and appropriate EMS departments to create and approve an appropriate traffic management plan for events before the use can commence. Condition #31 requires the applicant to incorporate the ambulance district's conditions of approval to ensure trained medical professionals are on site to assist with medical needs. Onsite EMT's can handle nearly all circumstances; it is rare to need transport to a hospital but in the event it is needed, the Canyon County Ambulance District serves the property, and the applicant will work with them in advance of events as they have requested. Private ambulance service is also an option if that becomes necessary. As a conditionally allowed use, staff have found the use meets the comprehensive plan goals and policies, under the code and plan this use is consistent with the character of the area. The conditions of approval mitigate impacts on surrounding properties. The project has received support from the surrounding agricultural community and businesses who believe this venue provides a necessary opportunity for agricultural properties to diversify and attract customers to support their operations that increasingly are depending on tourists. Those in opposition have been focused on traffic and sound and the required mitigation and conditions are responsive to these issues. Regarding property values, the Symms and others are trying to maintain what they have, trying to keep the agricultural base steady. There is general alignment with the desire to protect agricultural opportunities in the area and to limit crowded residential growth. This is private property where the owner is requesting to pursue a conditionally allowed use in compliance with the code and the comprehensive plan. The P&Z Commission did not have the benefit of the final transportation decision or mitigations that have been required or the conditions of approval that are responsive to testimony to address key issues related to sound, traffic, and EMS. The planning staff has found that as conditioned, Sunnyslope Ranch does comply with the comprehensive plan criteria.

Commissioner Brooks said with the volume of exhibits presented, we have no realistic expectation that we will be able to review those exhibits unless the Board meets again on Monday. Commissioner Holton said they could be put in the record, but not be part of the Board's deliberation. Commissioner Brooks made a motion to accept the late exhibits as part of the public

record, but they will not be part of our deliberation in the decision. It was noted that Exhibit #11 is staff's presentation, and Exhibits #12.1 through #12.15 are the public comments and they should be included in the record. The motion was seconded by Commissioner Holton and carried unanimously. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to close public testimony. The Board's deliberation was as follows:

The Board reviewed the three points P&Z Commission used for its basis of denial.

#4 - Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?

Commissioner Holton said the Board has to consider the immediate vicinity and since the venue is going to draw patrons from far away the immediate vicinity is not just the property, it's impacting a significant area and is bigger than the parcel. There has to be a balance between the applicant's request and the public comments received. Commissioner Brooks said the burden of persuasion is on the applicant. He is not persuaded to go against the P&Z Commission decision, and he has not been convinced that this request will not be injurious to other property in the area or to the character of the area. Commissioner Holton spoke of his experience sound measurements and said in open air venues sound and the pressure waves act differently after sundown, and in order to be persuaded he would need to have an audio test that is done on the basis of what the actual conditions would be and that sound levels at 85 decibels with peaks that don't exist longer than 60 seconds. He would not want to be a neighbor to the venue nor does he have any recommendations for the applicant on how to make a different measurement that he would entertain as measurable and be comfortable to make a decision on. His suggestion is the measurements be made after sundown and be done for a full hour from 10:00 p.m. to 11:00 p.m. and see how the neighbors or the area is receptive to that. He is concerned about the megaphone issue the slope could cause with sound. He found it interesting that Ste. Chappelle was not alluded to in testimony other than the size and much smaller number of events. He is in conflict with the County's granting of CUP's on properties in the immediate vicinity to this property that have been given sound limiting conditions on their property and yet this application is considering something that would be out of the norm and far greater. Commissioner Brooks said there was testimony that most people are supportive of everything except the venue itself, and if that was not included it would have been a simpler process. Criteria #4 and #7 are interlinked as far as traffic and negatively affecting the essential character of the area especially when there are portions of the road that aren't projected to be funded to be widened. Commissioners Holton and Brooks find that the proposed use appears to be injurious to other properties in the immediate vicinity and has the potential to negatively change the essential character of the area.

#7 - Will there be undue interference with existing or future traffic patterns? Commissioner Holton is frustrated with the traffic studies, and within the documentation there was an unbiased study that was done in 2019 and they determined what the background normal traffic was and they found that the high peak was between 5:00 p.m. and 6:00 p.m. When an applicant contracts with a traffic study they contract with a firm they choose and they set whatever they want to set as the study period and the date they study and that is not mandated in specificity from ITD. Director

Minshall said the applicant does propose the general scope and hours they want; however, it does the require concurrence with ITD which is why you see a progression from when the original traffic study done, there are some questions from the highway district and ITD and the County. The applicant can consult with whomever they desire, but it does have to be approved along the way in communication responses. You're not only looking at the TIS but the operational analysis, when are improvements planned, etc. Commissioner Holton said there are some documents that concern him related to #7 and he takes exception to the applicant's rebuttal when she said the Sheriff's Office was fine with the request, but the closing sentence of the letter states they cannot support the amount of traffic based on the current roadway design of the two lanes from South 10th Avenue, Farmway, to Hoskins Road. Caldwell Rural Fire District has stated they will not be able to support the increased traffic. It's a great idea but it's before the infrastructure is able to support the venue. Commissioner Holton is uncomfortable with making an approval on a major highway arterial that is already saturated and he has great concern that EMS will not be able to respond to traffic accidents due to clogged traffic. This rises to the level of undue interference with traffic and until we can deal with that in a reasonable way we have a possibility that might be well before its time. Commissioner Brooks said there was testimony about the fireworks event the City of Marsing holds every year and the parking and traffic issues from that event. Sunnyslope is an excellent spot to watch the fireworks, but if we were to ask people if they want 60-70 of those events he believes they would be adamantly opposed. People are willing to park everywhere for fireworks, and he believes they will park everywhere for the amphitheater events as well and that constitutes undue interference. Commissioner Holton said he's at a loss to tell the applicant what level below 5,000 seats would be approvable, but 5,000 far exceeds his comfort level so he suggests the applicant work with fire, police, and ambulance and get an agreement to what that threshold could be. He sees the need for what the applicant wants to do but he doesn't have a specific opinion if the location is right or wrong but the 5,000 threshold feels way over bounds. Perhaps it could be a more feasible application at a smaller sized venue. He is concerned people will use the arterial roads to avoid traffic congestion on Highway 55. Commissioner Brooks finds there will be undue interference with existing traffic patterns.

#8 - Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use? Commissioner Holton said the applicant made convincing arguments about the irrigation facilities. They are willing to put in a helipad, but he does not see the logic in having a Canyon County ambulance sit on site because they're not going to be able to respond to other calls because of the congestion and we are at a limited number now he doesn't feel it's fair to the rest of the County to do that. There is possible other mitigation that could be done. Regarding water and sanitary services on wastewater, they would have to get the other agencies approval before construction, but unfortunately one of the things the Board has to consider is the water and the sewer so are we kicking the can down the road or are we going to ignore one of the things we have to make a determination on because DEQ and others will figure out the drawings that haven't been submitted yet. He knows if Mr. Symms says he will do it he will do it, but it feels uncomfortable to say carte blanche, go do it. Police and fire have both spoken and they are going to be unable to service the area in a method that they know will accommodate

the use. He finds that essential services need to have a clear method to be mediated to some level in order to give him a firm foundation to make a position decision on. Commissioner Brooks said he agrees with Commissioner Holton's statement. The Board is being told to approve this and the applicant will take care of things with the other entities and it's a terrible position to be in. He finds it uncomfortable that there are two different property owners in terms of the venue location and the site for the water. The applicant has stated they will put qualified EMS on site and would have their own security that works on the premises, but outside of that is not their jurisdiction and that's where we have to be the determining factor. Commissioner Brooks said that ties into #5 regarding adequate water, sewer, irrigation, drainage and stormwater derange facilities and utility systems. It's difficult to make a decision on a plan he has not seen. He has differing opinions on the goals, policies and implementation of the comprehensive plan as well. Commissioner Holton said the denial was over three points and he needed to see if the applicant was persuasive enough to convince him that they have overcome the three points of concern, and he has not been convinced.

Commissioner Holton said he will consider a motion to deny the appeal and uphold the P&Z Commission's denial of the conditional use permit and have Legal work with the Board to draft the findings of fact, conclusions of law. Deputy PA Wesley explained the process and said the draft FCO's that were prepared by staff will need to be updated with the evidence provided and the Board's decision. A new draft will be prepared based on the Board's oral decision made today that will be the final appealable decision of the Board. It's a formal closing of the process. Planning Official Dan Lister asked if there are steps the applicant could take to gain approval? He then reviewed the list of actions the P&Z Commission identified as steps that may gain approval. Commissioner Brooks said he's at a loss for giving any direction as far as how this application in this location could be approved. If the venue was located in an area of city impact or inside city limits and connected to city services it would be a different conversation. Director Minshall asked if there is anything specific the Board wants to include in its findings regarding the corridor and the timing of the corridor improvements on Highway 55 as well as the connections to services? Those items were not part of P&Z Commission's findings and that is the input staff is looking for. Commissioner Holton said Legal can succinctly draft written findings that match what he has said. Commissioner Brooks made a motion to deny the appeal and uphold the P&Z Commission's denial of the conditional use permit. The motion was seconded by Commissioner Holton and carried unanimously. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to direct Legal to make written findings of fact, and conclusions of law about this decision within the next 3-4 weeks. The Board will consider the FCO's on Thursday, August 17, 2023 at 10:30 a.m. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to adjourn the hearing. The hearing concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: CLAUDIA FRENT, REPRESENTING VIRGIL IOVU, IS REQUESTING A CONDITIONAL REZONE OF PARCEL R29303251 FROM A "R-R" (RURAL RESIDENTIAL) ZONE TO A "CR-R-1" (CONDITIONAL REZONE - SINGLE-FAMILY RESIDENTIAL) ZONE, CASE NO. CR2022-0032

The Board met today at 1:32 p.m. for a public hearing to consider a request from an “A” agricultural zone to “CR-R-1” conditional rezone – single family residential. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister (left at 3:23 p.m.), DSD Planner Michelle Barron, DSD Planner Madelyn Vander Veen, Claudia Frent, Alan Mills, TJ Wellard, Sheena Wellard, Virgil Iovu, Tabita Iovu, Victoria Frent, Jared Mansfield, Gary Smith, Al Sanchez, Daniel Bower, Sue Smith, Susan Ray, Bill Deakins, Ann Binns, Dennis Downey, other interested citizens and Deputy Clerk Jenen Ross.

Madelyn Vander Veen provided the staff report stating that Claudia Frent, representing Virgil Iovu, is requesting a conditional rezone of Parcel R29303251 from an Agricultural zone to a Conditional Rezone - Single-Family Residential zone. The request includes a development agreement that limits the number of divisions of the parcel and maintains the existing building envelope. If approved, the owner will proceed with a subdivision application to divide the parcel into two (2) parcels, each being at least 1 acre. The subject property is located at 2505 S Middleton Rd.; it is approximately 2.92 acres and was created via conditional use permit and subdivision in 2000. The applicant is proposing 2 lots, one being approximately 1 acre and containing the existing residence, and one being 1.92 acres. Both lots will maintain the existing building envelope which was put in place when Coyote Cove Subdivision No. 2 was platted. Both lots will have access to S Middleton Rd through at least 60 ft of frontage. An approach permit will be required at the time of platting. Site photos of the property were shown to the Board. The current surrounding area is within a rural setting with agricultural and residential parcels as well as a gravel pit and Lake Lowell. All county parcels in the area are zoned agricultural, but there are residential subdivisions to the north, west, and south of the subject parcel; within 600 ft, the average lot size is 5.07 acres and the median lot size is 1.99 acres. There are currently 73 subdivisions within 1 mile of the subject property with an average lot size of 0.36 acres. Most of these subdivisions are in the city of Nampa. The property is considered to be 100% Class 3 moderately suited soil and prime farmland. The site is located within a nitrate priority area. The maximum contaminant level for nitrates is 10 milligrams per liter. A well in the area has nitrate levels of 2 - 5 milligrams per liter and a nitrate priority study may be required at the time of subdivision. The proposal aligns with 6 goals and 13 policies of the 2030 Comprehensive Plan, which can be seen in the staff report. The future land use designation is “Residential”. A gravel pit is located across Middleton Rd from the subject property which was approved in 1987. The proposed new parcel would be served by individual well and septic. The property is irrigated via pressurized irrigation from a community well is served by the Nampa School District and Nampa Fire District. All affected agencies were noticed on February 10th, 2023. Nampa Highway District, Department of Environmental Quality, and Nampa Fire Department submitted comments which can be found in Exhibit 7 of the staff report. Nampa Planning & Zoning, Idaho Transportation Department, Canyon Soil Conservation District, and Nampa Meridian Irrigation District all stated that they did not have a comment. Opposition comments from the public regarding the application were received in response to the noticing for this hearing and can be found in exhibit 1, attachments K and L1 – L4. The Planning & Zoning Commission recommended denial of the application and has provided Findings of Fact and Conclusions of Law for the Board’s consideration found in exhibit 1; the Board can choose to approve or deny the application or continue the hearing for additional information.

Claudia Frent offered testimony in favor of the application stating that as it stands today the Iovu's have the right to build a secondary home on the property. However, they would like to do a split instead of building a secondary residence because they would like to sell the existing home and downsize in the future for retirement. In an effort to clarify what she feels are misunderstandings, Ms. Frent explained that they do have the right to do a split if they annex into the city or if they get permission from Canyon County. Secondly, in regard to the water issue concerning adequate irrigation water, this is an already existing lot that is being watered from the irrigation well; and if approved with construction of the home and driveway it will actually be less acreage being watered. In regard to the letter from Rambo Construction about traffic, Ms. Frent does not feel that one home going in that area is not going to create excess traffic. Photos of the area and layout of the subdivision were provided by Ms. Frent to the Board. She spoke about how the original developer of the subdivision, Dr. Martin, was able to split his property which he prevented the Iovu's from doing in 2018. In response to a comment from Commissioner Holton, Ms. Frent did clarify that the property would not be able to be annexed into the city at this time because it is not touching any part of the property though she does believe that at some point Rambo will build-out and subdivisions will go in where the gravel pit is currently located and that would be the point the property could be annexed into the city. Her point is that the Iovu's are not changing the character of the area, they are not affecting the water rights, all they are asking is for a split to be done so they can sell the existing home and build another home. In response to a question from Commissioner Van Beek, Ms. Frent stated that the lot to the right of the Iovu's is .89 acres. Ms. Lister addressed a question regarding the building envelope stating that the building envelope only designates where a building can go, so they are agreeing to only a certain location where a house can be built. In response to Commissioner Brooks' question about area of impact, Mr. Lister said this area is currently not in the impact area, however the gravel pit across the road will be included in the proposed new expansion area.

Sheena Wellard offered testimony in favor of the application speaking about the criteria the Board in 2018 based their decision on including the CC&R's and the HOA but how the criteria was never discussed. She also noted that it appeared at that time that Commissioner Dale knew he made the wrong choice and was persuaded by a rumor that was never disclosed to the applicant.

TJ Wellard offered testimony in favor of the application stating that he was the one who originally brought the Iovu's project forward thinking it would be a simple case until the politics of it were considered. He feels that the previous two commissioners who voted against this knew people in the subdivision and based their decision on rumors vs. fact. While he agrees this area is zoned agricultural the use is not agricultural, there is no agricultural use anywhere in the subdivision. He feels this is a rural residential area. He also spoke to what he feels is the lack of property rights.

Mr. Lister stated that previous decisions made in 2018 are irrelevant to the case today meaning that there was a decision made in 2018 but it was a whole different rezone. That was a zoning map amendment and this is a conditional rezone. Staff recommends that the decision today not be based on 2018 but for reasons presented today. Findings will reflect the decision made today, not based on previous information.

Jared Mansfield offered testimony in opposition of the application. He requests that the application be denied for the same reasons it was denied 5 years ago and for the reasons that P&Z recommended denial. There are 17 homes in the HOA and a total of 23 with the included water rights association. He has spoken with and received letters from the majority of the homes in the community which are all in opposition of this split. The reasons he feels this should be denied include smells coming from livestock/farm animals could lead to problems and complaints down the road and adding another property to an already taxed irrigation system and well would put the subdivision over the limit.

Al Sanchez offered testimony speaking about the open nature of the properties and that this division and new home will cause a dramatic change in the nature of the property. He has concerns that if this one change is made it will lead to more which will change the defining characteristics of the subdivision.

Daniel Bower offered testimony in opposition explaining that he feels one of the things that needs to be considered is if this change is made what happens to the rest of the properties. If this determination is made today he is sure that there will be other lots coming forward to be split which will have a greater effect on the water system among other things and at that point the nature of the property changes. He spoke about responses to the decisions made in 2018 as the factors haven't changed. He feels that the CC&R's do matter and that they were set up to make sure there was uniformity and consistency.

Alan Mills spoke about how this subdivision has had to fight the impact area inclusion several times. He feels that when/if the Rambo Construction site does develop the entire area will probably be annexed in. Additionally, he noted the difficulty in adding new parties to a water users' agreement.

Susan Ray said that her and her husband are opposed to this. She spoke about how on the plat there are two lines that allow a homeowner to rezone and split the property. When people buy the property, they are buying an intent that has been in place for over 20 years. She provided information as to where Dr. Martin's lots were and how he was able to divide off part of his property. In regard to water, every lot had connection to the pressurized irrigation; the new lot, if approved, would not have that connection because it is a new lot and was not part of the original development. She feels there is water available but the developer will need to put in that connection.

Claudia Frent offered rebuttal testimony by first addressing the Martin's split, she clarified that it was indeed a split of the property and reviewed photos of where the split was done. She also reviewed photos of other properties in the neighborhood that have a secondary structure. She feels that CC&R's are put in place by developers in order to preserve their development; but in time if every single aspect of the CC&R's aren't enforced they will no longer be 100% valid. She feels that CC&R's need to be regularly updated to acclimate. The love's are not changing the character of the area because it is just one home that is being added. In regard to property rights, she agrees with Mr. Wellard in that there are no more property rights. Ms. Frent answered Board

questions regarding annexation in relation to splitting the property and the conceptual drawing regarding access and distances. Mr. Lister reminded the Board that today's hearing is for a rezone and not a plat; conditions are limited to one split to create two buildable lots. There will be platting that is required that will be before the Board for a decision. Commissioner Brooks expressed that he is interested in the weight that the CC&R's/HOA carry in this as far as if the Board legally has the authority to ignore CC&R's. Mr. Lister said that the county code does not uphold CC&R's. The subdivision can create ones that they enforce but the county does not enforce those rules.

Commissioner Brooks made a motion to accept Ms. Frent's photos into the record as exhibit B, attachment 10. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Brooks made a motion to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously. Board deliberation and general discussion ensued regarding the differences between dividing and rezoning the property vs. a secondary structure, CC&R's related to the role they play in this rezone and the eight (8) criteria points on which the Board must make determination; specific discussion was had surrounding criteria points 2, 4 and 5.

Commissioner Van Beek said she may want more time to contemplate the impact. She feels this is a transition area. She may need more time to look at the implications that may be bigger than just today; the Board is in a process of trying to understand what is being done by city partners in conjunction with county growth and development. She doesn't see that the split decision of the criteria from the planning and zoning commission was a solid no. She can find arguments in favor of both sides but the Board's job is to find what matches best with county code.

Commissioner Brooks said he comes back to property rights and to support one person doing what they would like to do with their property he would have to ignore the rest of the owners in the subdivision and their property rights to continue to live by the agreement they set out and signed up for. He feels that the difference between the two zonings at some level does substantiate an incompatibility.

Director Minshall pointed the board back to the letter received from the City of Nampa, this is not in their area of impact and when they presented to the county they left it out of the area of impact which means they are not making future land uses for this, they don't see this as an area they are moving into at this time.

Commissioner Holton said that with this information it makes it easier because their argument to keep their quality of life has won out against the City of Nampa bringing them into the area of impact.

Commissioner Van Beek spoke about how they are entitled to have a secondary structure but it puts the Board in an awkward position by rezoning.

Commissioner Brooks spoke to criteria no. 4, stating that in his opinion, looking strictly at the subdivision it will negatively affect the character of the area. Commissioner Holton concurred with this opinion.

Commissioner Van Beek made a motion that based on the findings of fact and conclusions of law that the Board amends condition no. 5 to a positive finding that adequate irrigation will be provided to accommodate the request but that we [the Board] were unable to overcome the zoning reclassification and that we [the Board] deny case no. CR2022-0032 a conditional rezone of parcel R29303251 from “A” Agricultural zone to “CR-R-1” Conditional Rezone – Single-Family Residential based on the county’s ordinance and the deliberation process. The motion was amended to include specifically criteria points nos. 2 and 4. The motion was seconded by Commissioner Brooks and carried unanimously.

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

The meeting concluded at 4:23 p.m. and an audio recording is on file in the Commissioners’ Office.

JULY 2023 TERM

CALDWELL, IDAHO JULY 27, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI in the amount of \$274,193.98 for the Information Technology Department (PO #5699)
- SHI in the amount of \$62,335.38 for the Information Technology Department (PO #5700)
- LN Curtis in the amount of \$14,834.75 for the Sheriff’s Office (PO #5709)
- Bollards Plus in the amount \$1,188.80 for the Facilities Department (PO #5660)

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(D) AND (F) REGARDING RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 9:04 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and attorney-client communication, and to communicate with the County’s legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks 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 PA Oscar Klaas, COO Greg Rast, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, Code Enforcement

Supervisor Eric Arthur, and Code Enforcement Officer Katie Phillips. The Executive Session concluded at 9:45 a.m. with no decision being called for in open session.

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

The Board met today at 9:45 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, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Cpt. Chuck Gentry, Cpt. Ray Talbot, other CCSO command staff, Facilities Director Rick Britton, Elections Specialist Brandi Long (left at 9:50 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Designating Polling Locations for the August 29, 2023 Election: Brandi Long explained that the only submission they've received for the August 29th election was from the Vallivue School District. 13 locations will be available for voting, all of which are ADA accessible with curbside voting will be available. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution designating polling locations for the August 29, 2023 election (see resolution no. 23-188).

Consider Resolution Approving Award of Officer's Badge and Duty Weapon: Deputy Foulk has worked mainly in financial crimes for the past 26 years. The Board expressed their appreciation for his years of service and upon the motion of Commissioner Van Beek and second by Commissioners Brooks the Board voted unanimously to sign the resolution approving award of officer's badge and duty weapon to Deputy Foulk (see resolution no. 23-189)

Start Selection Process for Architecture/Engineering Services and CM/GC Services for the Canyon County Sheriff's Office Building Project: The following submissions were received for each project:

CM/GC Services:

- Beniton Construction – received July 26, 2023 at 10:38 a.m.
- ESI – received July 26, 2023 at 8:12 a.m.
- Okland Construction – received July 26, 2023 at 2:14 p.m.
- Petra General Contractors – received July 27, 2023 at 8:11 a.m.

Architecture/Engineering Services:

- ZGA Architects and Planners – received July 26, 2023 at 4:06 p.m.
- Cushing Terrell – received July 27, 2023 at 8:01 a.m.
- Schlager Zimmerman Architects – received 26, 2023 at 4:04 p.m.
- CSHQA – received July 26, 2023 at 3:40 p.m.
- Hummel Architects – received July 26, 2023 at 4:55 p.m.
- Lombard Conrad Architects – received July 27, 2023 at 8:40 a.m.

All of the submissions will be reviewed and ranked by Director Britton along with other committee members and, if necessary, interviews can be conducted.

The meeting concluded at 9:54 a.m. and an audio recording is on file in the Commissioners' Office.

TAX DEED HEARING

The Board met today at 10:30 a.m. to consider the issuance of tax deeds and consider an action item. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Deputy PA Alex Klempel, Deputy PA Oscar Klaas, COO Greg Rast, Jose Padilla, Delia Gonzales from Idaho Legal Aid, Scott and Eric Grenander, other interested citizens, and Deputy Clerk Monica Reeves. Treasurer Lloyd explained the process her office goes through when working on the 2019 delinquent properties and how they contacted property owners to get their delinquent taxes paid. There are 12 parcels that have not been paid, and one of the delinquent parcels was discussed by the Board on Monday and it is addressed in the findings of fact and conclusions of law that will be considered today. Jose Padilla, who lives at 14160 Carolina Street in Caldwell, attended today's hearing and requested more time before his property goes to tax deed. He just learned of this issue not long ago because his caretaker left things outstanding, and he needs more time to seek assistance. Delia Gonzales from Idaho Legal Aid is here to assist Mr. Padilla and she is trying to connect him to resources for housing assistance. Following discussion, the Board decided to delay action on Mr. Padilla's property until September 25, 2023, and prior to that date, Mr. Padilla will complete a hardship application and provide the required financial information for consideration by the Board. Scott Grenander and Eric Grenander attended today's hearing and said they made a payment this morning. Treasurer Lloyd said the property is no longer on the list for consideration for tax deed. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to amend the findings to include language that allows Mr. Padilla to have until September 25, 2023 file a hardship application with the assistance of Idaho Legal Aid, and to also approve the remainder of the findings as drafted by Legal. The following properties are delinquent:

PARCEL:	ADDRESS	AMOUNT DUE:
01955000 0	305 E. Elgin Street, Caldwell	\$700.24
02530525 0	214 Phoenix Lane, Caldwell	\$1,343.60
07172000 0	1710 Blaine Street, Caldwell	\$5,171.08
09230513 0	1231 Eldoran Dr., Nampa	\$3,725.96
24418000 0	N. Middleton Road, Nampa	\$483.38
30729012 0	0 Amity Avenue, Nampa	\$561.94
31135103 0	3557 E. Comstock Ave., Nampa	\$1,460.19
35988000 0	0 Howe Road, Caldwell	\$186.06
39287011A0	24771 Canal Road, Parma	\$610.21
39444010 0	Hwy 95, Parma	\$538.20

06182159 0 14160 Carolina Street, Caldwell \$3,068.40

**** Board granted an extension for this parcel to allow owner to complete a tax cancellation application.***

29096317 0 3600 E. Wicklow Ave., Nampa \$1,190.45

**** Board will decide by September 25, 2023 whether to grant the pending tax cancellation application.***

The hearing concluded at 10:49 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER ACTION ITEMS

The Board met today at 10:50 a.m. to consider the Construction Agreement with Central Paving Co. Inc. for Landfill Beautification Hardscaping Project, and the software-related agreements with Microsoft and SHI. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Landfill Director David Loper, Deputy PA Alex Klempel, Deputy PA Oscar Klaas, COO Greg Rast, Assistant IT Director Eric Jensen, and Deputy Clerk Monica Reeves. The items were considered as follows:

Construction Agreement with Central Paving Co. Inc. for Landfill Beautification Hardscaping

Project: The contract has been reviewed by Legal. The cost is \$326,000 and includes ribbon curbing. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the construction contract as per the information provided by Director Loper. (Agreement No. 23-084.)

Consider Software-Related Agreements with Microsoft and SHI: Deputy PA Klempel said there are two licensing agreements; one is for server and cloud storage and the other is the enterprise agreement. COO Rast said it is a tri-annual agreement with Microsoft where they go through negotiations every three years that locks in pricing and they buy as needed. The price was negotiated down from \$495,000 a year to \$326,529.36. We do not have to go through a competitive bid process because the State of Idaho's purchasing department already does a pre-negotiation contract for a certified vendor. SHI is the preferred vendor through the state for the software purchasing. The cost has been broken into two purchase orders to take advantage of discounts, one is for the server and cloud systems, and the other is for software and on-prem workstation licensing. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the Microsoft agreements for enterprise enrollment and service, and cloud enrollment with SHI. The first purchase order is for \$62,335.38, and the second one is for \$274,193.98. (Agreement Nos. 23-082 and 23-083.) The meeting concluded 10:58 a.m. An audio recording is on file in the Commissioners' Office.

PICKLES BUTTE LANDFILL EXPANSION PRESENTATION, SUBMITTING DESIGN APPLICATION TO THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

The Board met today at 11:05 a.m. for a presentation on the Pickles Butte Landfill expansion. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Alex Klempel, Deputy P.A. Oscar Klaas, Controller Zach Wagoner, Landfill Director David Loper, COO Greg Rast, Maureen McGraw with Tetra-Tech and Deputy Clerk Jenen Ross. A PowerPoint presentation was provided by Ms. McGraw and Director Loper which reviewed the Landfill expansion process. A copy of the PowerPoint is on file with this day's minutes. The meeting concluded at 11:54 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A NEW ALCOHOLIC BEVERAGE LICENSE FOR GRIT

The Board met today at 3:59 p.m. to consider a new alcoholic beverage license for Grit. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy Clerk Jenen Ross. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the new alcoholic beverage license for Grit (see resolution no. 23-190). The meeting concluded at 4:00 p.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B), (D) AND (F) REGARDING PERSONNEL MATTERS, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 4:02 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner 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. Oscar Klaas, Judge Davis VanderVelde (left at 4:24 p.m.), Interim TCA Benita Miller (left at 4:24 p.m.), Director of Court Operations Jess Urresti (left at 4:24 p.m.), DSD Director Sabrina Minshall (joined at 4:25 p.m.), Code Enforcement Supervisor Eric Arthur (joined at 4:25 p.m.) and DSD Office Manager Jennifer Almeida (joined at 4:25 p.m.). The Executive Session concluded at 5:00 p.m. with no decision being called for in open session. Commissioner Brooks made a motion to adjourn the meeting. The motion was seconded by Commissioner Van Beek and carried unanimously. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM
CALDWELL, IDAHO JULY 28, 2023

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Craft Lounge to be used 8/16/23 and Raising Our Bar to be used 8/5/23, 8/12/23, 8/19/23, 8/24/23, 8/25/23, 8/26/23 and 8/31/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Linda Ellis, Fair Admissions Supervisor; Stephen Engel, Deputy Sheriff, Inmate Control; Rider Hoffer, Heavy Equipment Operator; and Antanacio “Nacho” Montes.

FILE TREASURER’S MONTHLY AND QUARTERLY REPORTS

The Board filed the Treasurer's Monthly Report for June 2023, and Quarterly Report April 1, 2023 through June 30, 2023.

DETENTION CENTER INSPECTION CONDUCTED

The Board conducted a quarterly inspection of the detention center. The Board evidenced proper care and security and the inmates' welfare throughout the facility. General grievances were filed and have been processed in accordance with standard procedures. A copy of the completed tour/inspection form is on file with this day’s minute entry.

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 11:12 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Van Beek. A roll call vote was taken on the motion by Deputy Clerk Jenen Ross 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, Director of DSD Sabrina Minshall, HR Generalist Jennifer Allen and COO Greg Rast. HR Director Kate Rice arrived at 11:25 a.m. The Executive Session concluded at 12:22 p.m. with no decision being called for in open session.

ACTION ITEM: CONSIDER AMERICAN RESCUE PLAN ACT OF 2021 SUBAWARD AGREEMENT BETWEEN CANYON COUNTY AND CANYON COUNTY AMBULANCE DISTRICT

The Board, sitting as the Board of County Commissioners and the Board of Ambulance District Commissioners, met today at 1:15 p.m. to consider the American Rescue Plan Act (ARPA) of 2021 Subaward Agreement Between Canyon County and Canyon County Ambulance District. Present were: Commissioners Brad Holton and Zach Brooks, Ambulance District Director Michael Stowell

Ambulance District employees LeAnn Axe and Vanessa Quist, COO Greg Rast, Deputy PA Zach Wesley, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Director Stowell came before the Board on March 9, 2023 to ask for fiscal recovery funds and project proposal form to purchase six new ambulances so they could retire six of the aging fleet. The Board said the district could move forward and they went through the process with Legal and today is the final agreement that can be signed to move the funds. Once they place the order the ambulances are 530 days out. Deputy PA Wesley said the agreement was prepared by the County in order to facilitate the distribution of ARPA funds to the ambulance district as a subrecipient under the County. He has worked extensively with the legal counsel for the district and said the County has everything it needs from a legal perspective and what the requirements of the district will be as far as reporting. He recommended the Board adopt the funding agreement first as the ambulance district board and the Board of Canyon County Commissioners and then move to the purchase agreement. Following discussion, Commissioner Brooks made a motion to approve and sign the American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds Subaward Agreement between Canyon County and the Canyon County Ambulance District. The motion was seconded by Commissioner Holton and carried unanimously. (Agreement No. 23-085.) **Ambulance District Board:** Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board of Ambulance District Commissioners voted unanimously to approve and sign the agreement between the Canyon County Ambulance District and Braun Northwest, Incorporated, for the purchase of six ambulances. *Ambulance District staff maintains the records associated with this agreement.* Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to adjourn the meeting. The meeting concluded at 1:24 p.m. An audio recording is on file in the Commissioners' Office.

HUMAN RESOURCES TO PRESENT THE FY2024 COMPENSATION PLAN

The Board met today at 1:34 p.m. for the HR Department's presentation of the FY2024 compensation plan. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, HR Director Kate Rice, Wage and Compensation Analyst Bosco Baldwin, COO Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Deputy Assessor Joe Cox, Facilities Director Rick Britton, HR Generalist Jennifer Allen, HR Generalist Cindy Lorta, HR Investigator Rich Soto, Court Training and Development Manager Raena Bull, and Deputy Clerk Monica Reeves. Mr. Baldwin said the last time he met with the Board they went through the whole compensation program where they identified what the wage ranges would be and at the time the Board charged him with meeting with each elected official and department administrator about the impact to their specific departments. Today he gave a presentation showing the approved wage grades that were put into place. A few weeks ago, he collaborated with COO Rast and created a 12-year fixed staircase compensation program because this type of a staircase program has been in place historically and it was felt people would appreciate incorporating that same philosophy to the new structure that they brought. He gave an example with the new staircase program showing the grade and a range for each level within grade 11. Each level is separated by 2.72%. It's a fixed amount for all grades.

What are our market competitors are proposing?

- Boise - 3% + 3.5% COLA
- Nampa - 2% merit + 4% COLA
- Caldwell - 5% COLA; they do not yet know what they will do for merit
- ADA - 3% merit + \$1 an hour. Total increase is predicted to be \$11.3M
- Meridian - 2.5% merit + COLA to be determined
- State of Idaho - 4% merit

Going back to the new pay structure that was approved at the last meeting, they needed to bring people back that are under the minimum of each of the wages to the minimum of those wages. It brings all employees to the minimum of each of their grades. There were 45 employees who were brought up to the minimum of their paygrades, and it includes 4 market adjustments for individuals identified as being significantly below others in the market.

HR is offering two different options for the BOCC to consider:

Option A

HR recommends applying a single level, 2.72%, plus a sliding scale market adjustment to the new base wage for all employees. The total cost to implement Option A is \$1,650,677.30 or 3.83% increase.

Costs that are built in to that dollar amount:

For one level increase, it's a 2.72% increase which results in an overall increase of 2.6%, or \$1,117,875.15, and the reason for that is that we are managing this to where when people exceed the max of the wage range we freeze their pay. There were 21 individuals who are either over that max rate or would be over that max rate as we apply some of these figures. That will be their pay until such time that the ranges get moved.

HR is proposing a sliding scale market adjustment designated to provide employees in grades 11 through 14 a 1.5% increase; grades 15-17 a 1% increase; and grades 18+ along with elected officials a half percent increase. In total, this market adjustment would lead to an increase of \$532,843.29.

Option B

HR recommends applying a flat 3% increase to the new base wage for all eligible employees. Executing this option would lead to an increase of \$1,117,875.15, or 2.6%. The reason why 3% doesn't equal 2.6% is because there are 21 people who have their wages frozen. The reason the program was put into play is because we are striving to become an employer of choice within the Treasure Valley and as part of our strategy to achieve this goal we are committed to providing a total compensation program that rewards all employees with a competitive wage and benefit package.

HR's next step is to socialize the new program with whatever option the Board chooses to the employees and then through the course of FY2024 they will look at the compensation equity issues for each classification to make sure there is nothing that's been missed. They will also work on updating all job descriptions for the County so that this process becomes better when measuring apples to apples at other counties and so forth.

COO Rast said on Option A we have \$1,650,677.30 - that is salary, it does not include benefits. If we take a conservative 40% benefits on Option A that is roughly \$2.3M. HR Director Rice said it wouldn't change the cost of medical insurance, there might be a slight increase in life insurance costs and PERSI costs. Mr. Baldwin said it would be a percentage of the 2+ percentage.

Commissioners Holton, Van Beek and Brooks support Option B.

Commissioner Holton said it's a clear plan and we can choose to look at the different steps. Commissioner Van Beek said the Board is intricately involved with the budgeting process and has a chief operating officer who understands the budgeting process and has been instrumental in compensation plans and has assisted Mr. Baldwin. What was difficult about last year is that there were surprises, there were numbers that had not been vetted that were coming forth at the Board as a first time. The Board's job is to balance the employees, which we value and appreciate, and compensation is a big part of that as well as the culture which is on the upswing at Canyon County. We are trying to be an employer of choice and a leader in the state and to offer something like this is fair to the taxpayer and fair and rewarding to the employees. Mr. Baldwin said last year even with the big increase that was taken that did not make Canyon County a top payer in the public sector, we were just competitive. It's better to take small bites as opposed to getting behind and taking big bites later to catch up. We should run at a set pace and see where that takes us and if we need to adjust along the way then we do those too, but we create the process and structure to do that. Commissioner Holton said he wanted it measurable and repeatable, and defensible and he thinks HR has presented a plan the Board can move forward with. No plan is perfect, but at least we have the foundation that if we have to modify or edit parts we have the basis to do that and know with reason why and how to do that. HR Director Rice said because we have a significant amount of specialty pay, lead pay, and other kinds of bolt-ons to base pay, Mr. Baldwin did a lot of work to determine what truly is the base pay and these numbers are to be paid on base pay only. Specialty pay could in essence be added back in, but we are looking at an adjustment to base pay only, not adding any of these options. There is Board consensus to go with Option B. The meeting concluded at 1:54 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2023 TERM

CALDWELL, IDAHO JULY 31, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- CDW in the amount of \$1,864.01 for the Information Technology Department (PO #5701)
- Starlink in the amount of \$2,700.00 for the Information Technology Department (PO #5644)

APPROVED CLAIMS

- The Board has approved claims 596997 to 597054 in the amount of \$73,986.69

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for Holland's Bites & Brews to be used 8/6/23 and 8/11/23; Three Girls Catering to be used 8/12/23; and County Line Wine to be used 8/26/23.

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for Janet LaMont, Drug Testing Technician.

MEETING WITH THE CALDWELL URBAN RENEWAL AGENCY BOARD

The Board met today at 2:06 p.m. with the Caldwell Urban Renewal Agency Board. Present were: Commissioners Brad Holton and Zach Brooks, Chief Civil Deputy PA Carl Ericson, Deputy PA Alex Klempel, Deputy PA Laura Keys, Caldwell Urban Renewal Agency Board Chair Jim Porter, Caldwell City Councilmember Brad Doty, Attorney Mark Hilty, COO Greg Rast, Chief Deputy Assessor Joe Cox, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Clerk Chris Yamamoto, Controller Zach Wagoner, and Deputy Clerk Monica Reeves. Commissioner Brooks is a member of the Caldwell Urban Renewal Agency Board and the board is interested in having a discussion about penalties, interest, and fees on properties within the agency's boundaries and potentially getting a share. Mark Hilty said in July he prepared a statutory analysis and sent it to Deputy PA Zach Wesley, and there was subsequent a district court decision on this issue as it pertains to taxing districts. His reading of the law talked about the statutes that bear on what increment is, and how its determined from general tax revenues and how it's distinguished from the base assessment. There is a statutory calculation in the economic development act that says you take out the base assessment role and everything else goes to the urban renewal agency as increment for those properties that are within the reallocation area. The agency's position has been that those monies have not been accounted for since 1998 which was when the current area was formed and they have not been paid over and the agency feels like that should have happened. It seems there was an internal County decision in the 1990's that the fees, penalties, and interest would not be transferred to the urban renewal agency. Mr. Hilty said he hasn't had any response, counterpoints, or argument provided back to him that he's analyzed it wrong and he wants to know how we move forward? Treasurer Tracie Lloyd said when the first urban renewal agency was formed in Nampa in the 1990's, it was evident that an urban renewal agency is not a taxing district; the law is clear that the taxing districts get penalties and interest and therefore they were

not turned over. Anytime there is a fee that's added, the only fees that are added after the tax roll is charged is a fee that is reimbursable to the County. Fees are not a part of this equation in her mind as they are costs incurred by the County. She said penalties and interest was retained by the County because that's how it was set up in the beginning with the very first urban renewal agency. Chief Civil Deputy Ericson said Deputy PA Wesley has mentioned some of the issues briefly in the office but that is something he has been handling so the other attorneys are not up to speed on the issues as to what his legal analysis was. Deputy PA Klempel said she's not sure Deputy PA Wesley has spoken to his clients about his legal analysis and generally they would share it with their clients before sharing it with opposing legal counsel. Chief Ericson said today's meeting is a listening opportunity for them rather than being active participants because Deputy PA Wesley was not clear on what was going to be addressed and how it needed to be addressed. Mr. Hilty said their position under the law is those funds should not have been withheld. He understands Treasurer Lloyd's point about the fees and said she may be right. Penalties and interest are probably more what they are talking about and it is the agency's position that those funds, starting in 1998 with the formation of Caldwell East Urban Renewal Area which is in the process of sunseting, should have been paid. There is a new north area that is in its infancy but as time goes by we can expect to see some delinquent taxes and this will become an issue. We don't have an accounting of what those penalties and interest were on the increment the last 20 years but they think it's significant, perhaps a half million dollars or more. Chief Ericson said the issue of a taxing district being treated differently from an urban renewal agency is an issue that should be straightforward to figure out. The Kootenai County case opinion was issued 3-4 weeks ago and it could be appealed; the Court ruled that the taxing districts were entitled to receive their proportionate share of the penalties and interest collected by the County but that's all we know at this point. Mr. Hilty said of the total penalties and interest there were be a proportionate share that would be for the base assessment and a share of the increment. They are only looking for an accounting of the penalties and interest proportional to the increment. Brad Doty said going forward they are looking for a resolution because of the new 20-year urban renewal and because they need to figure out what's going on and where they are headed. Commissioner Holton said the Board will need to review Mr. Hilty's letter and meet again. Chief Ericson said Legal will discuss it in Executive Session. The meeting concluded at 2:25 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 1, 2023

APPROVED CLAIMS

- The Board has approved claims 597139 to 597182 in the amount of \$25,492.46
- The Board has approved claim 597055 in the amount of \$300.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ACCO in the amount of \$7,255.00 for the Facilities Department (PO #5661)
- Priority Dispatch in the amount of \$2,920.00 for the Sheriff's Office (PO #5711)
- Canyon County IT Department in the amount of \$3,375.00 for the Sheriff's Office (PO #5710)
- Wild West Marketing in the amount of \$5,088.00 for the Sheriff's Office (PO #5712)
- Nemo Arms, Inc., in the amount of \$5,880.80 for the Sheriff's Office (PO #5713)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Steve Webb, Development Manager.

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. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Lt. Martin Flores (left at 9:31 a.m.), Communication Manager Roxanne Wade (left at 9:31 a.m.), Landfill Director David Loper (left at 9:37 a.m.), Interpreter Coordinator Grace Almeida (left at 9:43 a.m.), Director of Court Operations Jess Urresti (left at 9:43 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Designating Surplus Property with Nominal Value and Authorizing Destruction of CCSO Dispatch Headset Equipment: The Board did not have any questions or comments and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution designating surplus property with nominal value and authorizing destruction of CCSO Dispatch headset equipment (see resolution no. 23-191).

Consider Real Estate Sale and Purchase Agreement for Canyon County Parcel Numbers 30167010A4 and 30167010A3: Mr. Carlson spoke about the mineral rights on the property and each portion will be appropriately deeded to the proper owner. Finalization of the paperwork will be handled by Pioneer Title and \$2000 earnest money will be necessary. The Allen's will work with the county regarding the lot line adjustment and will have use of the property until the county gives notice stating otherwise. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the real estate sale and purchase agreement for Canyon County parcel nos. 30167010A4 and 30167010A3 (see agreement no. 23-086).

Consider Independent Contractor Agreement for Interpreter Services with:

- Ara Hakobyan
- Jocelyne Ininahazwe
- JRM Enterprises

- Janja Pavetic-Dickey
- Fiaavae Fafai
- Sixta C. Sass

Ms. Almeida spoke about how the need for different languages has expanded. Ms. Klempel explained that most of these contracts are on auto-renew and will only need to be signed by the Board one time. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the independent contractor agreements for interpreter services with the contractors noted (see agreement nos. 23-087 thru 23-092).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:44 a.m. pursuant to Idaho Code, Section 74-206(1) (f) to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner 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. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P. A. Laura Keys and COO Greg Rast. The Executive Session concluded at 9:54 a.m. with no decision being called for in open session.

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

MEETING TO CONSIDER AN ACTION ITEM

The Board met today at 10:30 a.m. to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, HR Director Kate Rice, HR Generalist Demi Ethridge, Interim TCA Benita Miller, Court Assistance Office Lead Tony Salazar, Deputy Trial Court Administrator Laura Kiehl, Family Court Services Manager Chris Paulsen, COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider a resolution adopting changes to the title, salary range and job description of one (1) position in the Trial Court Administration department: Mr. Paulson explained this position was previously approved as an Eviction Mediation Services Coordinator but that program has been eliminated. He and Mr. Salazar spoke to the need for changing this position to a Family Court Services Support Specialist with duties specifically relating to the Court Assistance office and Family Court Services. Discussion ensued regarding how ARPA funding will be applied and the potential effect on the position.

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

MEETING WITH COUNTY ASSESSOR TO DISCUSS NET TAXABLE VALUES FOR BUDGETING PURPOSES, VALUE DISTRIBUTION BY PROPERTY TYPE, AND EXEMPTION TYPES WITH AMOUNTS

The Board met today at 3:01 p.m. for a meeting with the County Assessor to discuss the net taxable values for budgeting purposes, value distribution by property type, and exemption types with amounts. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, County Assessor Brian Stender, Administrative Property Appraisal Supervisor Greg Himes, Senior Systems Analyst Steve Onofrei, Treasurer Tracie Lloyd, Clerk Chris Yamamoto, Controller Zach Wagoner, COO Greg Rast, and Deputy Clerk Monica Reeves. Assessor Stender presented the Board with the following packets of information:

Five-Year Value History for Canyon County

- In 2019 the net taxable value for Canyon County was \$14,889,746,277
- The last five years we've had a substantial increase in the net taxable value in Canyon County. In 2022 there was massive jump primarily the increase in the residential property values.
- Urban renewal has grown substantially from 2019 to 2022 going from \$1 billion to almost \$2.4 billion, but in 2023 it dropped down to \$909,862,611. The difference is due to the sunseting of the Caldwell Urban Renewal District.
- The operating property value number is \$372,341,701 for 2023
- Estimated sub-roll from 2019 to 2021 was the value of equipment that was mobile. HB389 ended that and there was no replacement money for that. There is not much left of value that they anticipate on the sub-roll any longer.
- Reviewed the total value used to determine the levy rate.

2019-2023 Taxable Value Distribution by Type

- Includes increment value
- In 2019 the residential portion was 66%; Commercial was 29%; Agriculture was 3%; and Operating property was 2%.
- Throughout the years residential values increase with the percentage going to 74% in 2022. In 2023 there was a softening in in the residential market with the percentage reducing to 70%. There was a 15% increase in commercial and industrial values this year.

2019-2023 Abstract by Category - Annual Real and Personal Property reports

- Each year's report contains a summation report which includes the total exemptions and increment value.
- Report showing new construction values for 2019-2023

Assessor Stender said even though are values have softened the amount we're going to use to levy with is still going to be higher than it was last year. Controller Wagoner said as the values have gone up naturally the levy rates have come down. Commissioner Holton said there needs to be a bigger picture discussion with the Board, Assessor, Treasurer and the Clerk and Controller.

There was general discussion that followed, but no Board action was required or taken. The meeting concluded at 3:43 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A), DISCUSS A PERSONNEL MATTER

Commissioner Van Beek made a motion to go into Executive Session at 3:50 p.m. pursuant to Idaho Code, Section 74-206(1) (a) discuss a personnel matter. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, COO Greg Rast, HR Director Kate Rice, and Candidate D. Estes. The Executive Session concluded at 4:49 p.m. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn the Executive Session at 4:49 p.m. No decision was called for in open session.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 2, 2023

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Western States Caterpillar in the amount of \$585,000 for the Landfill (PO #5595)

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Chapala Mexican Restaurant #7 Inc. to be used 9/2/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Keonna Terriquez, Administrative Specialist; Luke Cully, Deputy Sheriff – Patrol; Michelle-Rene Kilgore Marmolejo, Criminalist – Crime Lab.

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

Commissioner Van Beek made a motion to go into Executive Session at 11:38 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure,

communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Holton. A vote was taken on the motion with Commissioners Van Beek and Holton voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, HR Director Kate Rice, Fleet Director Mark Tolman, Facilities Director Rick Britton, COO Greg Rast and Shannon Kinney and Brian Baughman with The Harwell Corporation. Commissioner Brooks arrived at 11:39 a.m. The Executive Session concluded at 12:33 p.m. with no decision being called for in open session.

PUBLIC HEARING – REQUEST BY JUDITH GROSS TRUST AND DOUGLAS GROSS FOR A
CONDITIONAL REZONE, CASE NO. CR2022-0029

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by David Ferdinand who is representing the Judith Gross Trust and Douglas Gross, for a conditional rezone of parcels R36143 and R36155, approximately 145.48 acres, from an “A” (Agriculture) to a “CR-M-1” (Conditional Rezone – Light Industrial) zone. The request includes a development agreement to limit certain uses allowed in the M-1 zone. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Official Dan Lister, DSD Planner III Michelle Barron, David Ferdinand, Doug Gross, Ron Amarel, John Hoadley, Keri Smith, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Holton disclosed that he is the Mayor of Greenleaf and part of this application is located within the Greenleaf area of city impact, and the city did submit comments, but they are not of a nature that would produce any kind of conflict of interest because of financial gain or loss. It is more about policy and those comments are in the record and have been dealt with.

DSD Planner III Michelle Barron gave the oral staff report. The applicant, David Ferdinand, representing Judith Gross Trust and Douglas Gross, is requesting a conditional rezone of parcels R36143 and R36155, approximately 145.48 acres, from an “A” (Agriculture) to a “CR-M-1” (Conditional Rezone – Light Industrial) zone. The request includes a development agreement to limit certain uses allowed in the light industrial zone. The subject property is located off Allendale Road and Peckham Road with the entire south boundary running along Simplot Boulevard between Wilder and Greenleaf. The Hearing Examiner recommended approval of the conditional rezone on April 19, 2023. Ms. Barron reviewed the site photos, surrounding land use cases, character of the area, access and traffic, facilities, essential services, and the goals and policies of the comprehensive plan that the proposal aligns with, the potential impacts, public comments, and agency comments. The future land use designation for Wilder is commercial and industrial and the future land use designation for Greenleaf is agricultural with some commercial along the roadways. The current zoning of the majority of the property is agricultural. The northern portion of Parcel R36143 is already zoned light industrial. The property is located within an area designated for industrial development in the 2020 comprehensive plan, but the applicant plans to continue farming the ground until an industrial use can be established.

The following people testified in support of the request:

David Ferdinand testified on behalf of the applicants. The Peckham Road property is 73.29 acres and is zoned M-1 and Agricultural. The project location is summarized as on the north side of Simplot Blvd. running north bounding Peckham Road. It also includes the Boise Valley railroad easement, and they have 36 miles of track that travels two separate branches. The proposed access will have the option for an entrance on Simplot Blvd. and/or Peckham Road which will be a private road. The developer is proposing a conditional rezone from M-1/Ag to M-1 for the entire property with the purpose of making the property available for light industrial use and to provide consistent zoning for expansion of the industrial property as designated by the 2020 comprehensive plan. Mr. Gross farms 2,500 acres in the area. The following uses are prohibited because he has a plan for the future of his farming, and he wants to make sure he is part of future planning:

1. Mineral extraction, short and long-term.
2. Batch plants
3. Animal cremation services
4. Animal facilities
5. Small and large animal hospital
6. Kennels
7. Mortuaries
8. Cremation and funeral homes
9. Impound yards
10. Sale of salvaged goods
11. Mobile or manufacturing home sales
12. Rehabilitation of manufactured mobile homes
13. Utility facility
14. Rendering plant

The applicants want to make sure the property would be allowed to have fuel, but not the large bulk tanks. The property is currently being farmed; it's flat, no fencing, irrigation, structures. The concrete ditches and pivot systems are in place. The plan is to develop the property as light industrial and market the parcels for the development of agricultural processing or compatible light-industrial business. The property would continue to be under agricultural production such as time is appropriate for any light industrial project would develop the property. The applicant is asking for access to be off Peckham Road to the north to Simplot Blvd/Highway 19 to the south for Parcel R36143 and is asking for access to Simplot Blvd./Highway 19 for the south parcel, R36155. The City of Greenleaf stated there is the possibility of connecting to a potable water source or sanitary sewer treatment if needed. They want to create new jobs that are sustainable and provide an economically viable environment that builds and maintains a diverse base of business. The applicant will include the right to farm act in the development agreement. Mr. Ferdinand review some of the existing property uses in the area that have an M-1 designation.

There is a house at the end of the property and Mr. Gross is cognizant of the person who built the home there and said the project will not disturb any of the surrounding properties.

Doug Gross testified he is the landowner of the subject property along with the Judith A. Gross Trust which was established after the death of his wife in 2012. He wants to conditionally rezone the property from agricultural to light industrial with restrictions. The property sits along the railroad west of Greenleaf and borders Highway 19 on the south. It's some of the poorer quality land he has on his farm, and it lends itself to light industrial with the increasingly valuable railroad right-of-way that's adjacent to it. The use is consistent with other businesses along Peckham Road, and a portion of the subject property is already designated as M-1. His family arrived in Wilder in 1941, and 82 years later the family farms 2,500 acres raising potatoes, wheat, mint, beans, corn, corn seed, and a multitude of other crops. He and his hand-picked successors will continue to operate as farmers for many years to come. Over the last 7 years they have consolidated farms making them larger and more efficient and productive. They have at least 25 home sites in their pocket but they have no intention of developing them. The Gross family chooses to have a hand in how some of the changes occur because they care about the area they live in and work in. Their vision for this diversification is to guarantee the financial sustainability of their own farming operation. Following his testimony, Mr. Gross responded to questions from the Board.

The following people offered neutral testimony:

Ron Amarel wanted to show the Board a drone video of the area, but Commissioner Holton said he wants to abide by the policy of not viewing any videos live in a public hearing that staff has not previewed. He said Mr. Amarel could submit it for public record. (It was admitted as Exhibit F). Mr. Amarel referenced a PowerPoint presentation which contained photos of the site/area. Overall, he supports agriculture, but he wants to make sure people are well informed and make the right decision. The area is predominately agriculture, and it fits within 81% of the best ag land in the area. The specific use has not been determined yet and without knowing the impact or existing infrastructure we should talk about what we do know. It's his understanding that the Canyon Soil Conservation District does not recommend this zone change and said the use does not support Idaho Code title 67 in the protection of agriculture. We have to think about the sustainability of the area in terms of agriculture, the economy, and the society. It has been determined that agriculture is favorable to the impact of the CO2 emissions which offset 15%, not to say how much one-acre of corn provides in oxygen.

Keri Smith, who arrived after the hearing had started, asked if Commissioner Holton disclosed that he is the Mayor of Greenleaf and whether he had anything to do with the letter that was sent from the City of Greenleaf. Commissioner Holton said he made the disclosure. Ms. Smith said she is supportive of the County following the 2020 and the 2030 comprehensive plans that support industrial growth in the area especially with access to the rail line. However, she represents a developer with existing M-1 zoned property within the Greenleaf impact area, approximately four miles of the subject property, and there is not enough power in the area to serve that development. The City of Greenleaf stated in its letter that water and sewer were available if the developer extended, but without an identified user how do we know what capacity is needed. Can

Greenleaf serve a development that is 47 acres larger in size than Sky Ranch Business Park in Caldwell? Urban renewal areas in Caldwell, Middleton, Nampa already established with correct zoning with significant facilities and services provided to these developable areas. She recommends that if the area is developed into industrial the City of Greenleaf or the County's team should work with the property owners in the area to establish a plan that will address available service, capacities, and uses. There is a lot of pressure for this type of speculative development in the Greenleaf impact area. There are currently over 220.81 acres of proposed CR-M-1 zoning within the Greenleaf area of city impact and existing M-1 zones already exist to fulfill the needs that exist. She referenced other cases that have been denied in the past two years. This is a conditional rezone, and the zoning ordinance requires that commencement start within 2 years, and she is not sure on this type of development what will constitute commencement, and she asked if one warehouse that is constructed on 147 acres is perpetual? Ms. Smith is in a neutral position on this case because she supports development in accordance with the comprehensive plan, but she said we need a full plan to understand what those services are. The Idaho Power website shows planned developments of this size that take a lot of effort into understanding what the required demand on services is. The developers should work with other developers on a plan for this area that's been identified for growth, but right now we are not ready.

Commissioner Holton said Ms. Smith has made a determination about Idaho Power serviceability and he asked if she is basing that off of their website? Ms. Smith said no, she represents a developer on Pinto Road and they are only allowed to build one structure right now until Idaho Power is able to expand their capabilities. Commissioner Holton asked if she is basing electrical availability off of her experience on a different parcel? Ms. Smith said that is correct.

The following people testified in opposition to the request:

John Hoadley gave testimony about the seed industry and the history of seed farming. Agriculture has enabled the existence of civilization, and agricultural lands are pieces of a global puzzle we are facing and trying to answer the question of how do we continue to feed a global community? Canyon County is a critical growing region to help meet the demand. Idaho ranks as the 5th largest seed producing area in the world and over the past several years we have imported more food into the United States than ever in the history of the U.S. Annual revenue generates approximately \$300 million for the County alone; diversity is needed, and growth will come. The influx of growth into our seed production areas has resulted in fewer acres and a bigger challenge to maintain isolations between crops and we fail to recognize the bigger picture which is our food. Approving a conditional rezone in this area is dangerous. He is not opposed to personal property rights, however, rezoning that could potentially do more harm than good does not make sense.

Rebuttal testimony was offered by David Ferdinand who said Doug Gross is attempting to do future planning which complies with the requirements of the City of Wilder, City of Greenleaf and Canyon County. The property will continue to be farmed and there will not be houses on this farm. They have received several inquiries from interested individuals who believe this would be a great place to bring commerce and industry and until they know who will be there, the applicant may be

working with Greenleaf to supply those needs. He is not aware of the project Keri Smith mentioned. The most important thing is to give an opportunity to the property owner and those responsible for making commerce in this area the opportunity to make those plans for the future. This area is light industrial, and they believe the time is right. The developer is proposing a conditional rezone to make sure he can plan for the future and not disturb the area so that anyone that wants to continue to farm will be able to do so. The protection of the area is just as important as the industry they bring to town. Following his testimony, Mr. Ferdinand responded to questions from Commissioner Van Beek. Staff had follow-up comments regarding commencement of use.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Van Beek said this area is zoned for light industrial, but it was more restrictive a year ago on what could not go into that area than what is being proposed today. It would allow for an airport, bulk storage, a CAFO, ethanol plant, a ministorage facility, or a refinery, so there are things that would be allowed with a conditional use permit and that's a discussion the Board needs to have. There is a demand for industrial. She referenced the Robinson property which is a case that came to a previous Board. Dan Lister said the Board denied it because it was too speculative and the transition between the agricultural and industrial areas. There were no plans of use, and there were so many conditions added they decided there were too many and it would be better to wait until there was an understanding of what was going to be there and how impactful it would be to the surrounding neighborhood. Commissioner Brooks is in favor of the request as it meets all the criteria and it's in an area zoned industrial. Commissioner Holton recognized the testimony of John Hoadley and said the 2020 comprehensive plan has put him in a frustrating position because it substantiated that this is the plan, this is industrial along the corridor and because of the size of the properties and how they are connected between Peckham Road and Highway 19 we have to honor the plan. The application fits the plan, and all eight of the criteria are met. Commissioner Van Beek asked how the Board would feel if a ministorage facility were placed on the property which would change the area. Commissioner Holton said it would be a waste of a good location and good soil, but he doesn't think the applicant's long-range plan is into ministorage because it doesn't fit with the agricultural basis of their operation. There was discussion about a ministorage facility where we don't have definitive use and we could exclude things that could potentially change that, and whether to require the applicant connect to city services. Commissioner Holton agreed to having a ministorage facility as an additional exclusion. He prefers community systems for water and on sewer it doesn't take much to make it cheaper to have a municipal system than an independent septic system. They need to negotiate and work with the respective municipality for city services. Commissioner Van Beek said that would be a great way to make sure there is adequate flow and availability for crop irrigation in what is remaining. Mr. Lister said the applicant agrees to ministorage and RV storage facilities being prohibited uses. Staff added all the conditions the City of Greenleaf requested and one of them is to work with the city regarding connection and it will be up to them to see if it is feasible. Either the applicant has to connect to services or have evidence why they cannot connect and it is agreed to by the city at that point. Commissioner Van Beek made a motion to approve Case No. CR2022-0029 for a conditional rezone of Parcels R36143 and R36155, approximately 145.48 acres, from an "A" (Agriculture) to a "CR-M-1" (Conditional Rezone – Light Industrial) zone, subject to the conditions of a development agreement and adding

the exclusion of a ministorage facility, and to sign the development agreement and ordinance. The motion was seconded by Commissioner Brooks and carried unanimously. (Ordinance No. 23-006 and Agreement No. 23-093). Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to adjourn. The hearing concluded at 2:46 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 3, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Compliant Technology in the amount of \$6393.12 for the Sheriff's Office (PO #5708)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Sydnee A. Berkheim, Legal Assistant I; Melissa Gonzalez, Housekeeping; Thomas (Mike) Kinney, Lead Weed Applicator.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:32 a.m. with county attorneys for a legal staff update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Elections Supervisor Haley Hicks (left at 9:41 a.m.), Elections Specialist Brandi Long (left at 9:41 a.m.), Facilities Director Rick Britton (left at 9:41 a.m.), Assistant Facilities Director Carl Dille (left at 9:41 a.m.) and Deputy Clerk Jenen Ross. The action item was considered as follows:

Notice of Ranking (top 3) released for Request for Qualifications for CM/GC Elections Building Construction Project: Director Britton explained the committee met to determine the top three candidates. A letter has been prepared to notify each of the contractors of the ranking. The top three contractors are Beniton Construction, ESI and PETRA and upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the notification letter.

Mr. Ericson addressed questions recently received from the Board regarding the use of ARPA funds. The biggest question received from the Board is whether \$10M can be spent in one fiscal year. Canyon County provided calculations for lost revenue in order to receive ARPA funds as revenue replacement; the calculated amount of lost revenue was approximately \$64M and the replacement amount received was \$44M. Legal has reviewed the ARPA guidelines and have not found anything that precludes the county from spending \$10M in a fiscal year, the funds just need to be encumbered by the end of FY24 and spent by the end of FY26.

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 9:42 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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys and COO Greg Rast. The Executive Session concluded at 9:45 a.m. with no decision being called for in open session.

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:33 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur, Code Enforcement Officer Gary Westerfield, Code Enforcement Officer Katie Phillips, DSD Office Manager Jennifer Almeida and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution to issue a refund Myrna Jussila for fees associated with a withdrawn building permit: Ms. Almeida explained the plan review portion of the fee is non-refundable but that 80% of the actual permit fee is refundable. Since no inspections have been conducted staff is recommending \$2092.00 be refunded. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution issuing a refund to Myrna Jussila for fees associated with a withdrawn building permit (see resolution no. 23-192).

Consider certificates of non-compliance:

- 15580 Cantrice Ln, Caldwell (R23266026)
- 4541 Hemlock Way, Nampa (R22694)
- 5319 Lake Ave, Caldwell (R21400500)
- Mamer Lane, Nampa (R24213, R24214, R24213010, R24213011, R24213012, R24213013)
- 20328 Apricot, Caldwell (R27227)
- 11438 Moss, Nampa (R24423)

Mr. Arthur, Mr. Westerfield and Ms. Phillips provided brief information on each property. Copies of the certificates of non-compliance and detailed information about each property is on file with this day's minutes. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the certificates of non-compliance for the above noted parcels.

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

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 11:00 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George, Case Manager Jenniffer Odom and Deputy Clerk Jenen Ross.

Case nos. 2006-161 and 2008-511 have met their obligation and been paid in full. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign a release of lien for both cases.

Commissioner Van Beek made a motion to approve case no. 2023-70 for cremation. The motion was seconded by Commissioner Brooks and carried unanimously.

A subordination request has been received on case no. 2012-1442. Discussion ensued and Board questions were answered regarding the use of the refinance funds, assets and payments made to the county. Following discussion, Commissioner Van Beek made a motion to deny the request. The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Brooks moved to adjourn the meeting.

The meeting concluded at 11:19 a.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 4, 2023

APPROVED CLAIMS

- The Board has approved claims 596955 to 596996 in the amount of \$63,124.97
- The Board has approved claims 597097 to 597138 in the amount of \$252,601.65
- The Board has approved claim 597183 in the amount of \$15,731.54
- The Board has approved claims 597184 to 597224 in the amount of \$43,248.86
- The Board has approved claims 597225 to 597258 in the amount of \$93,674.70
- The Board has approved claims 597259 to 597294 in the amount of \$17,998.02
- The Board has approved claims 597321 to 597354 in the amount of \$120,924.75
- The Board has approved claims 597355 to 597383 in the amount of \$75,595.30
- The Board has approved claims 597384 to 597419 in the amount of \$76,495.59

RECEIVE CLERK'S SUGGESTED BUDGET FOR FY2024

The Board met today at 9:31 a.m. to receive the Clerk's suggested budget for FY2024. Present were: Commissioners Brad Holton and Zach Brooks, COO Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Senior System Analyst Steve Onofrei, Prosecuting Attorney Bryan Taylor, PA Office Manager Melinda Longoria, Elections Supervisor Haley Hicks, Elections Specialist Brandi Long, HR Director Kate Rice, Wage and Compensation Analyst Bosco Baldwin, HR Generalist Jennifer Allen, HR Generalist Demi Etheridge, HR Investigator Rich Soto, Fleet Director Mark Tolman, Captain Harold Patchett, Fair Director Diana Sinner, Juvenile Probation Director Elda Catalano, Parks Director Nicki Schwend, DSD Director Sabrina Minshall, Juvenile Detention Center Director Sean Brown, Public Defender Aaron Bazzoli, Coroner Jennifer Crawford, County employees, and Deputy Clerk Monica Reeves. (Commissioner Leslie Van Beek had an appointment and was not present for this meeting.)

Controller Wagoner presented the Board with a handout, a copy of which is on file with this day's minute entry. He said the department administrators and elected officials have done a first-class job explaining, defending, and articulating the needs and wants behind the FY2024 budget request. The requested projects require cash and the County's revenue is not strong at the moment. The revenue streams are in a period of weakness; we are seeing declines, decreases in revenue in multiple areas, such as:

- Material deposited at the landfill is a good indicator of the overall economy and year over year, the material deposited at the landfill is down.
- The state shared sales tax revenue has been declining the past few months, something we haven't experienced for an extended period of time.

Revenues are vital to providing the cash to pay the bills and we are operating currently in a weak revenue environment.

There was a review of the expenditures from October 1 through July 31 for the past five (5) fiscal years. Year over year our expenditures have increased \$10M. Our spending for salaries and benefits has increased over \$9M and our spending for other operating activities increased almost \$2M and our capital spending is down \$1M. Over the course of two years our spending for governmental funds has increased approximately \$20M in two years.

Our year over year revenues for governmental funds have decreased by \$15M, the majority of that is property tax. We anticipated that and chose to lower the property tax budget for 2024 and we expected it to be lower, but our other revenues outside of property tax are down over \$1M year over year.

The cash balances of governmental funds have decreased \$12M in six months.

There was a review of the current FY2024 working budget - governmental funds. It does not include any ARPA activity, or landfill enterprise activity. For 2024 the County has the authority to levy over \$54M in property tax and it would include the increase available for new construction, the 3% amount, and the increase for the dissolution for the revenue allocation area associated with the Caldwell Urban Renewal. The total revenue for government funds is \$103,790,119. The expenditures including salaries and benefits, new position requests, and the proposed compensation plan is \$90,203,644. There is also \$7.2M for capital investments. The total for all expenditures for the current working budget for governmental funds is \$123,624,903. Budgeted expenditures exceed revenues by \$20M.

The FY2023 salaries and benefits budget was \$83,832,408. There have been midyear compensation adjustments; new/reclassified position requests; and the proposed 2024 compensation plan bringing the 2024 working salaries and benefits budget to \$90,203,644.

Other significant requests in the "B" Budget total \$14,470,196

Options:

- Adjust expenditures including:
 - Thoughtful consideration of human capital investment
 - Prioritization of essential capital projects
 - Maximize outside funding sources such as grants, state and federal monies
- Utilize fund balance:
 - The County still has healthy, sufficient amounts of fund balance. Fund balance is not a long-term viable solution.
 - We are projecting for our governmental funds to end FY2023 with \$48M in fund balance and that would be approx. 44% of annual spending, which is still a healthy amount of fund balance.
- Supplement revenue with ARPA monies:
 - Our revenue streams have been greatly disrupted by COVID-19 so the County's ARPA money can be used to provide essential government services.
 - Currently there has been discussion about ARPA monies for capital investments and ARPA monies are not an ongoing permanent source of funding.
- Request previously forgone property tax revenues:
 - In prior years when the County has not requested the 3% or new construction, we have accumulated a forgone balance and we can request \$2.2M of forgone property tax on top of the \$54M

Clerk's Suggested Budget for FY2024:

Fiscal Responsibility

County revenues across multiple functions have decreased year over year
DSD revenues are down 33%

Recording fees are down 34%
Motor vehicle revenues are down 15%
Property tax revenue is down 25%

Sufficient cash flow from operations and other revenues are vital to funding ongoing operations. Statewide shared sales tax revenue was down 7% in April, down 4% in May, and it was 1% higher in June. The County burnt through \$12M in cash the first six months of calendar year 2023.

The Clerk's suggested budget includes maintaining our previous investments in personnel. From FY2018 to FY2022, our payroll spending increased \$7.5M. In one year our payroll spending has increased \$9M partly due to having 35 more occupied fulltime positions today compared to the prior year. County personnel are vital and they provide first-rate public services and we must continue to maintain that investment in our personnel.

Year over year our other operating spending has increased almost \$2M. Inflationary factors and resumption of travel, training, and other economic activities have increased spending. Spending on vendor provided medical and food services have increased.

The Clerk recommends a judicious capital investment program and mindful evaluation and prioritization of capital needs; maximizing funding from sources from grants, federal and state governments, and outside sources to benefit property taxpayers; as well as careful consideration and balance of long-term needs and current economic conditions.

Controller Wagoner reviewed in more detail the revenues and expenditures:

Revenues are \$104,260,119, including \$54M in property tax (3% increase, new construction increase and the increase from the revenue allocation area expiring).

On the expenditures side the suggestion is to roll forward with the approved 2023 salaries and benefits budget of \$83,832,408, and they recommend trimming some of the capital projects, and adjusting the "B" Budgets down for the total expenditures budget for governmental funds would be \$111,078,353. This would require a utilization of almost \$7M of fund balance to balance the budget.

Significant other operating expenditures and capital projects included in the Clerk's suggested budget total \$10,118,632, and include CCSO police vehicles; some of the grant-funded projects (Parks boater improvement project; County Fair site improvement project that's funded with Caldwell Urban Renewal funds; and a rescue boat for waterways that is grant funded as well), as well as some other projects/expenses.

Commissioner Brooks asked if the Clerk's suggested budget recommends no compensation increase and no new positions. Controller Wagoner said that is correct, they are recommending we maintain the same budget for salaries and benefits that was in place for FY2023.

There was a review of some charts that detail the funding sources with approximately 49% of the funding coming from property tax, and on the spending side approximately 75% of the budget is for salaries and benefits.

There was a review of the detail regarding the ARPA monies slated for capital investments:

Warehouse and animal shelter	\$ 4,100,000
Elections building	\$ 4,527,500
Administration building	<u>\$28,025,250</u>
Total ARPA projects	\$36,652,750

For the landfill enterprise fund revenues are at \$8,392,832 and expenditures are at \$8,514,703.

The grand total for governmental funds, ARPA, and landfill enterprise fund is \$149, 305,701 with total expenditures at \$156,245,806, and a reliance on fund balance to balance the budget of \$6,940,105.

Controller Wagoner said revenues and expenditures are monitored consistently and they have seen weakness in our revenue streams and they hope that improves. The County's cash position, fund balance, is stable and strong. We need to be cautious of the revenues that provide the cash to pay the bills and they hope to see improvement and a positive trend in those revenue streams.

Clerk Yamamoto said he has been warning about this revenue slide for some time but it came quicker and more severe than he anticipated. The suggested budget is a way to minimize, but we cannot absorb a \$20M deficit. Over the years we have saved the taxpayers many millions of dollars and we have cut budgets at times to the tune of \$5M in less property taxes and this last year it was \$14M less in property tax. They have tried to do what they could do for the property taxpayer hoping that legislatively there would be some things to help out and we do have some of that at this point but it remains to be seen exactly how that will work out. With \$7M fund balance to balance the budget we will have to have significant discussions but it could be that for the first time in years we may have to look at the forgone amount.

Commissioner Brooks said Page 5 of the handout has the salaries and benefits budget which is the same number that was suggested to be carried over, but then there is the mid-year compensation adjustment - what happened to those? Controller Wagoner said with the current projection for FY2023 budget-wise we will be approximately \$5M under budget on salaries and benefits. To his recollection there was no formal increase in the FY2023 salaries and benefits budget, during this fiscal year there has been no new unanticipated revenue or funding source identified - we will operate within the FY2023 budget and it appears that is going to work. There will be budgetary savings on the salary and benefits side. There is no new unanticipated revenue or increase in the 2023 budget and it is working now. Commissioner Brooks asked where the \$1.7M is going and asked if the Clerk is proposing that it goes away for FY2024? Controller Wagoner said no, they are proposing no change to the salaries and benefits budget for 2023. Commissioner Brooks asked where the \$1.7M gets carried over into the suggested budget. Controller Wagoner said to his knowledge there was no increase in the 2023 budget when those were approved; there was no

new funding source or unanticipated revenue, we just funded those with budgetary savings in 2023.

Clerk Yamamoto said it should be noted that with the increases in compensation the intended purpose was to create a better hiring environment and better retention of employees and it worked and consequently we are seeing more expenditures on the "A" Budget side because we have retained more people and hired more people. In the past with budgets we knew we were going to be as much as \$2M under budget on "A" Budgets, but that has dwindled on purpose.

COO Rast asked if the \$83.8M amount that's carried over from FY2023 to FY2024 in the proposed, and the \$5M under budget was on salaries and benefits savings to this day to consume the \$1.7M is what they are thinking in FY2024? Would it be safe to say if we had zero vacancies in FY2024 we would be short? Controller Wagoner said if we had every position filled every day we would likely be short. Clerk Yamamoto said in the past we've operated with a budget that relied on 10% of the fund balance to balance the budget knowing full well that that wasn't going to happen but given what we have to work with now that scenario is history. To address Mr. Rast's point, the 10% unfunded will probably have to go away. Controller Wagoner said there are currently approximately 50 positions that are approved but vacant and over the past few years there have been on average 50-100 positions that have been vacant consistently. Sometime before the third week in August we will need to publish a tentative budget. The budget hearing is August 30, 2023. Commissioner Holton said the Board appreciates the work the Clerk and Controller put into the budget and he said the Board will take it under advisement and will work together on it. The meeting concluded at 10:04 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR CASE NO. CR2022-0032, IOVU

The Board met today at 1:33 p.m. to consider the FCOs for case no. CR2022-0032, Iovu. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Planner Madelyn Vander Veen, DSD Planner Michelle Barron and Deputy Clerk Jenen Ross.

Ms. Barron said the FCOs have been updated per Board comments during the public hearing. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the FCOs for case no. CR2022-0032, Iovu.

Commissioner Brooks motioned to adjourn the meeting with a second by Commissioner Van Beek.

The meeting concluded at 1:36 p.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 7, 2023

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Big D Builders, Inc., in the amount of \$71,685.00 for the Facilities Department (PO #5662)

There were no meetings held this day.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 8, 2023

APPROVED CLAIMS

- The Board has approved claim 597425 ADV in the amount of \$2,000.00
- The Board has approved claims 597056 to 597096 in the amount of \$83,253.98
- The Board has approved claims 597295 to 597320 in the amount of \$16,093.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Amazon in the amount of \$1,899.00 for the Sheriff's Office (PO #5714)
- Dell in the amount of \$10,767.68 the Information Technology Department (PO #5729)
- Audio Codes in the amount of \$2,862.00 for the Information Technology Department (PO #5730)
- Data Bank IMX in the amount of \$76,759.70 for the Information Technology Department (PO #5703)
- Titan HQ in the amount of \$5,968.00 for the Information Technology Department (PO #5702)

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Heritage Social to be used 8/26/23.

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for McKinsey Smith, Sr. Customer Service Specialist.

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

The Board met today at 9:33 a.m. for a legal staff update and to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Director of Indigent Services Yvonne Baker (left at 9:37 a.m.), Case Manager Kellie George (left at 9:37 a.m.), Case Manager Jenn Odom (left at 9:37 a.m.), Sgt. Bailey Wilson (left at 9:37 a.m.) and Deputy Clerk Jenen Ross.

Consider a resolution naming county coordinators to act on behalf of the Canyon County Board of Community Guardians: Ms. Klempel explained there has been a resolution in place but this revised version provides more clarity regarding authority on behalf of the Board of Community Guardians. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution naming county coordinators to act on behalf of the Canyon County Board of Community Guardians (see resolution no. 23-193).

Consider a resolution appointing volunteer Bailey Wilson to the Canyon County Board of Community Guardians: Ms. Wilson works as an investigator for the Sheriff's Office and has experience with elder abuse; she will be an asset to the BOCG. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution appointing volunteer Bailey Wilson to the Canyon County Board of Community Guardians (see resolution no. 23-194).

Consider a resolution authorizing the quitclaim of Parcel No. 36109013 0 to Kyle Mills and Hope Mills: This property was taken for tax deed and the Mills' would now like to purchase it. There is a clause in the resolution that the deed will not be signed until payment has cleared; once payment has cleared the Board can sign the deed as an administrative matter. Commissioner Holton made a disclosure that he is the Mayor of the City of Greenleaf which is where this property is located. There are back taxes owed to all political subdivisions. He will not receive any direct compensation from these taxes being brought up on arrears. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution authorizing the quitclaim of parcel no. 36109013 0 to Kyle Mills and Hope Mills (see resolution no. 23-195).

The meeting concluded at 9:40 a.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 9, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Paradigm of Idaho in the amount of \$3,000.00 for the Facilities Department (PO #5663)
- Advanced Hardware in the amount of \$7,415.88 for the Facilities Department (PO #5664)

APPROVED PAYROLL AUGUST 11, 2023

The Board approved the August 11, 2023 payroll in the amount of \$2,252,217.21.

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Justin DeGraff, Deputy Sheriff - Inmate Control.

PUBLIC HEARING - REQUEST BY PHILIP AND GLENDA HORTON FOR A PLAT EASEMENT VACATION, CASE NO. VAC2023-0001

The Board met today at 1:30 p.m. to consider a request by Philip and Glenda Horton for a plat easement vacation, Case No. VAC2023-0001. Present were: Commissioners Brad Holton and Zach Brooks, DSD Planner Sage Huggins, DSD Planner Debbie Root, DSD Office Manager Jennifer Almeida, DSD Director Sabrina Minshall, and Deputy Clerk Monica Reeves. DSD Planner Sage Huggins gave the oral staff report. The applicants, Philip & Glenda Horton, are requesting a plat easement vacation to remove the 12-foot utility and irrigation easement along the northeast and south property boundaries located on Lot 4 Block 1 Kodiak Subdivisions. The 20-foot easement for Kennedy Lateral will not be affected with this application. The applicant's property is located at 4832 Meadowlark Lane in Nampa, and the request affects only parcel R30430103, Lot 4 Block 1 within Kodiak Subdivision. Ms. Huggins reviewed the character of the area, site photos, access and traffic/facilities, and agency comments. On June 15, 2023, the P&Z Commission recommended approval of the easement plat vacation. Commissioner Brooks said no one has opposed the request and the P&Z Commission approved it. Commissioner Holton said he has no objection to the request and he made a motion to approve the plat easement vacation request, including the conditions of approval. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 1:38 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION AUTHORIZING A REFUND OF DSD FEES TO SOL INVICTUS VINEYARD

The Board met today at 1:41 p.m. to consider authorizing a refund of DSD fees to Sol Invictus Vineyard. Present were: Commissioners Brad Holton and Zach Brooks, DSD Office Manager Jennifer Almeida, DSD Director Sabrina Minshall, and Deputy Clerk Monica Reeves. Ms. Almeida reported the applicant applied for a modification of conditions of a Director's decision, and when staff received comments from area property owners it was apparent there were additional concerts and events taking place on the site, and as a result of the research staff had done it was determined the applicant needs to apply for a conditional use permit (CUP) for a special events facility. The applicant withdrew the Director's decision amendment application and is going to apply for a CUP. Staff used approximately half of the fees that were paid and a refund in the amount of \$300 is being requested. Upon the motion of Commissioner Holton and the second by

Commissioner Brooks, the Board voted unanimously to issue a refund of \$300 to Sol Invictus for fees associated with a withdrawn administrative decision application. (Resolution No. 23-196.) The meeting concluded at 1:44 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION ADOPTING CHANGES TO THE JOB TITLES AND JOB DESCRIPTIONS OF TWELVE (12) POSITIONS IN THE DEVELOPMENT SERVICES DEPARTMENT

The Board met today at 1:45 p.m. to consider a resolution adopting changes to the job titles and job description of 12 positions in the Development Services Department. Present were: Commissioners Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, HR Director Kate Rice, HR Generalist Jennifer Allen, and Deputy Clerk Monica Reeves. Director Minshall thanked the Board for the ongoing discussions over many months about what changes should be proposed to make sure the department is responding best to the constituents as well as both the work we see now and the work in the future as well as making adjustments in this fiscal year and in next fiscal year's budget to be fiscally responsible and a right-sized department in places that are responsive to the economy while also not overreacting. The memos she presented today address the reasons as well as the organization chart that's been discussed. The next step will be the submission of the employee status change forms for existing employees and advertising and recruiting for the other open positions. Commissioner Holton said the positions under consideration are more than covered in this year's operating budget and are being considered for next year's budget planning purposes. He said this has been a long, pre-thought through plan. Director Minshall said it's an opportunity that she has been carefully watching since she starting in her position and prior to/during the time the current Board has been in office to ensure they are being very thoughtful and thorough for a variety of reasons including aligning with industry standards. The financial implications of the changes in a yearly sense is an increase of nearly \$116,000, however, three positions have been unfilled, so for the remaining two months if we had all the positions in play immediately there is budget room for this fiscal year. However, she is removing two fulltime employees for two positions in the building department. In the proposed budget she is working through with the Chief Operating Officer those are already accommodated and removed and they have not been filled. The FY2024 budget is slightly increased but it's not because of these issues, it's related to where within the wage grade we budget as well as previously underfilled positions in the original budget. The net impact by of removing two positions, which officially happens in 2024, will be but a negative \$9,100.

Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to adopt the changes to the job titles and job descriptions of twelve (12) positions in the Development Services Department as presented. (See Resolution No. 23-197)

Building Division Change

One (1) Chief Building Inspector, position control number 15 231 063, FLSA Exempt.

To

One (1) Assistant Building Official, salary grade 15, min. \$70,720 and max. \$97,593.60, position

control number
15 231 063, FLSA Exempt.
This will result in a salary impact of \$16,568.

Engineering Division Change

One (1) Community Outreach Specialist, position control number 15 231 631, FLSA Non-Exempt.
To
One (1) Associate Engineer, salary grade 14, min. \$60,320 and max \$83,241.60, position control number 15 231 631, FLSA Non-Exempt.
This will result in a salary impact of \$7,828.

GIS Division Changes

One (1) Planner I, position control number 15 231 893, FLSA Non-Exempt.
To
One (1) GIS Analyst, salary grade 14, min. \$60,320 and max \$83,241.60, position control number 15 231 893, Non-Exempt.
This will result in a salary impact of \$21,021.

AND

One (1) GIS Analyst, position control number 15 231 799, FLSA Non-Exempt.
To
One (1) GIS Supervisor, salary grade 15, min. \$70, 720 and max \$97,593.60, position control number 15 231 799, Non-Exempt.
There is no salary impact as a result of this change.

Planning Division Changes

One (1) Planning Official, position control number 15 231 077, FLSA Exempt.
To
One (1) Planning Manager, salary grade 16, min. \$83,200 and max \$114,816, position control number 15 231 077, FLSA Exempt.
This will result in a salary impact of \$18,526.

AND

Two (2) Planner IIIs, position control numbers:

15 231 752

15 231 601

FLSA Non-Exempt

To

Two (2), Principal Planners, salary grade 14, min. \$60,320 and max \$83,241.60, position control numbers:

15 231 752

15 231 601

FLSA Non-Exempt.

There is no salary impact as a result of this change

AND

One (1) Planner III, position control number 15 231 829, FLSA Non-Exempt.

To

One (1) Principal Planner, salary grade 14, min. \$60,320 and max \$83,241.60, position control number

15 231 829, FLSA Non-Exempt.

This will result in a salary impact of \$7,529.

AND

One (1) Planner II, position control number 15 231 567, FLSA Non-Exempt.

To

One (1) Associate Planner, salary grade 13, min. \$50,960 and max \$70,324.80, position control number

15 231 567, FLSA Non-Exempt

This will result in a salary impact of \$4,940.

AND

One (1) Planner II, position control number 15 231 798, FLSA Non-Exempt.

To

One (1) Associate Planner, salary grade 13, min. \$50,960 and max \$70,324.80, position control number 15 231 798, FLSA Non-Exempt.

There is no salary impact as a result of this change.

AND

One (1) Planner I, position control numbers 15 231 894, FLSA Non-Exempt.

To

One (1) Associate Planner, salary grade 13, min. \$50,960 and max \$70,324.80, position control number

15 231 894, FLSA Non-Exempt.
There is no salary impact as a result of this change.

AND

One (1), Planning Technician, position control number 15 231 765, FLSA Non-Exempt.
To
One (1) Assistant Planning Manager, salary grade 15, min. \$70,720 and max \$97,593.60, position control number 15 231 765, FLSA Exempt.
This will result in a salary impact of \$39,125.

The meeting concluded at 1:51 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 10, 2023

No meetings were held this day.

APPROVED PURCHASE ORDER

The Board approved the following purchase orders:

- Intermountain Wood in the amount of \$17,420.17 for the Facilities department (PO #5665)
- Mountain Home Auto Ranch in the amount of \$42,486.00 for the Fleet department (PO #5572)

CONSIDER RESOLUTION GRANTING A TRANSFER ALCOHOLIC BEVERAGE LICENSE TO PK MINI MART

The Board met today at 11:35 am. to consider a resolution granting a transfer alcoholic beverage license to PK Mini Mart. Present were: Commissioners Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross.

Commissioner Brooks said he has reviewed the application and saw no reason not to sign. He then made a motion to sign the resolution granting a transfer alcoholic beverage license to PK Mini Mart. The motion was seconded by Commissioner Holton and carried unanimously (see resolution no. 23-198).

Commissioner Holton noted for the record that the Board would be signing the quitclaim deed for Kyle and Hope Mills pertaining to PIN 361090130 as their payment has cleared. During the meeting on August 8, 2023 the Board signed the resolution granting the property to the Mills' and noted that the quitclaim deed would be signed administratively once payment had cleared.

A motion was made by Commissioner Brooks to adjourn the meeting, it was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 11:37 a.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 11, 2023

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Craft Lounge to be used 9/2/23, 9/16/23, and 9/30/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- BOE in the amount of \$2,500.00 for the Information Technology Department (PO #5731)
- Dell in the amount of \$1,899.36 for the Information Technology Department (PO #5733)
- Cable Wholesale.com in the amount of \$1,228.90 for the Information Technology Department (PO #5736)

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 14, 2023

APPROVED CLAIMS

- The Board has approved claims July Jury Adv in the amount of \$10,618.69
- The Board has approved claims 597426 to 597474 in the amount of \$1,059,572.28
- The Board has approved claim 597550 ADV in the amount of \$310.50
- The Board has approved claims 597475 to 597517 in the amount of \$41,098.97

MEETING WITH KEVIN ARKOOSH FROM SENATOR RISCH'S OFFICE TO DISCUSS GENERAL ISSUES

The Board met today at 2:36 a.m. with Kevin Arkoosh from Senator Risch's office to discuss general issues. Present were: Commissioners Leslie Van Beek and Zach Brooks, Kevin Arkoosh and Deputy

Clerk Jenen Ross. Mr. Arkoosh provided an overview of his background and his role in Senator Risch's office to the Board. Some of the topics discussed included jail funding, ARPA monies and connection to a Grants Coordinator working in the Twin Falls office. The meeting concluded at 2:50 p.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 15, 2023

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- MHS in the amount of \$1,037.71 for the Misdemeanor Probation Department (PO #5744)

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for County Line Wine to be used 8/20/23; Slicks Bar to be used 9/1/23; and The Curb Bar and Grill to be used 8/19/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Cassandra "Cassi" Bertram, Assistant Motor Vehicle Supervisor; Jaycee Aldous, Customer Service Specialist; Brenda Barrie, Customer Service Specialist; and Bobbie Dunne, Customer Service Specialist.

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

The Board met today at 8:33 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley, Landfill Director David Loper (left at 8:35 a.m.), Ashley Newbry (left at 8:35 a.m.), Director of Juvenile Detention Sean Brown (left at 8:37 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Appointing Ashley Newbry to Solid Waste Advisory Committee (SWAC): Ms. Newbry is an engineer at the City of Caldwell and will be taking Brent Orton's place on the SWAC. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution appointing Ashley Newbry to the Solid Waste Advisory Committee (see resolution no. 23-199).

Consider Juvenile Detention Housing Memorandum of Agreement Between County of Malheur, State of Oregon, County of Canyon, State of Idaho: This agreement has been in place for several years

and the only change this year is to increase the daily rate from \$210 to \$220. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Juvenile Detention Housing Memorandum of Agreement Between County of Malheur, State of Oregon, County of Canyon, State of Idaho (see agreement no. 23-094).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 8:38 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Van Beek and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley and COO Greg Rast. The Executive Session concluded at 8:49 a.m. with no decision being called for in open session.

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:30 a.m. to consider action items. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Clerk Chris Yamamoto, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas, Treasurer Tracie Lloyd (left at 9:36 a.m.), Chief Deputy Treasurer Jennifer Watters (left at 9:36 a.m.), HR Director Kate Rice (left at 9:36 a.m.), Facilities Director Rick Britton, Election Specialist Brandi Long and other elections staff, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution adopting changes to the title, salary range and job description for a position in the Treasurer's Office (banking and finance manager): Treasurer Lloyd said that in her 42 years at the county her office has not grown in personnel. The addition of this position is a succession planning effort as she will not be seeking reelection and a 14-year employee in her office will be retiring in 2024. At this time, it has not been determined if this position will be filled internally or by an outside candidate. 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, salary range and job description for a position in the treasurer's office (banking and finance manager). See resolution no. 23-200.

Consider Notice of Intent to Award for the Elections CM/GC Project: Director Britton explained that the committee reviewed the proposals and determined that they would like to go with Beniton Construction. Commissioner Van Beek made a motion to sign the notice of intent to award for the Elections CM/GC Project. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 9:38 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 9:45 a.m. to consider matters related to medical indigency. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Case Managers Kellie George and Jenniffer Odom and Deputy Clerk Jenen Ross.

Case no. 2012-1442 – payment has been received in full and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the release of lien.

Case no. 2023-72 – sufficient funds have been identified to cover the cost of cremation and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to deny the case.

Case no. 2023-71 - the mother has applied on behalf of her deceased minor child as she does not have sufficient funds to cover the cost of cremation. The father does appear to have sufficient income to assist in the cost of cremation, however, he has not been cooperative with the indigent services office. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to deny the request. Ms. George did note that the applicant has 30-days to appeal the decision.

The meeting concluded at 9:55 a.m. and an audio recording is on file in the Commissioners' Office.

FY2024 BUDGET WORKSHOP

The Board met today at 10:00 a.m. for a FY2024 budget workshop. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek , Clerk Chris Yamamoto, Controller Zach Wagoner, Auditing Supervisor Sarah Winslow, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Coroner Jennifer Crawford, CCSO Chief Deputy Doug Hart, CCSO PIO Joe Decker , Prosecutor Bryan Taylor, Criminal Chief Deputy P.A. Doug Robertson, Civil Chief Deputy P.A. Carl Ericson, PA Office Manager Melinda Longoria, Assessor Brian Stender, HR Director Kate Rice, Wage and Benefit Analyst Bosco Baldwin, HR Generalist Kendra Elgin, Fair Director Diana Sinner, IT Director Eric Jensen, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, Parks Director Nicki Schwend, Sr. System Analyst Steve Onofrei, Facilities Director Rick Britton, Fleet

Director Mark Tolman, Director of Juvenile Probation Elda Catalano, Judge Davis VanderVelde, Family Court Services Manager Chris Paulson, Interim TCA Benita Miller and other TCA Staff, Director of Misdemeanor Probation Jeff Breach, Chief Public Defender Aaron Bazzoli, Director of Juvenile Detention Sean Brown, Administrative Supervisor Tara Hill, County Agent Tasha Howard, COO Greg Rast, JoDee Arnold and Deputy Clerk Jenen Ross.

Commissioner Holton opened the meeting stating that a prior Board's decisions on what they were going to do with budget items has put us [the county] in a position, the Idaho legislature created 389 and then the same authors bragged about creating a better bill than 389 and brought forward 292 and we are now living in the reality of a state legislature messing with property taxes and his personal opinion is that they don't even understand what they're doing but we now get to live with the ramifications. We have an inordinate amount of very, very good people that work for this county and he is humbled to be a part of that. He said that the Board has literally spent hundreds of hours with this and would like to go thru where we find ourselves today.

Mr. Rast explained that all the budgets have been gone thru and this is the culmination of all the individual discussions of the Board wrapped into one presentation. There are still some topics that the Board will continue to work thru and make decisions on. He said there is always a fine line between providing mandated services to keep up with the growth and keeping the taxpayers in mind and being good stewards of the budget. When the Clerk's suggested budget was presented last week there were a top 6 concerns that kept coming to him and the Board. Those concerns are as follows:

1. No compensation will hurt our retention of employees and moral.
2. No new positions will only add to the problem of workload, public safety, public service and burnout resulting in overtime costs.
3. Cutting elections equipment, not addressing security upgrades to elections hardware as well as no resolution to long lines at the voting locations.
4. Overall county-wide needed expenditures being cut.
5. No additional law enforcement.
6. Questioning the revenue numbers in regard to growth and showing \$19M in the negative.

Mr. Rast said that not taking the \$14M last year, especially with the house bills coming out really put the county in a hole. He understands being conservative but the county also needs to be responsible and stay current with services and offerings to the constituent. He was tasked by the Board on August 4th to start working on the numbers and in turn address the top items, Board direction was as follows:

1. Investing in human capital thru compensation.
2. Keeping up with growth and needed public services which means more employees.
3. Election security and expanding equipment to reduce voting lines.
4. Law enforcement expansion within the Sheriff's Office.
5. Stay equal or less than the approved FY2023 budget.

The plan moving forward is cutting costs, make the FY23 budget set to equal to FY24 so that it doesn't exceed the approved FY23. Some of the plans include consolidation of fleet expenditures

to cut double expenditures, consolidate facilities expenditures to cut double expenditures, they've looked thru all the budgets and have made cuts based on average spending. The overdue fee evaluation to cover county operational costs, currently they are working on landfill fees (via the SWAC), garnishment fees thru the Sheriff's Office, and the Board has already approved the weed and pest fees schedule, fairgrounds and expo center fees and Assessor motor vehicle fees. The BOCC tentative budget has already worked in \$1.4M of compensation for current employees, funding 17 critical positions of the 28 requested, funding of some new election's equipment along with 4 new precincts and equipment security software upgrades. With these priorities the numbers do show a \$14M deficit but that will be reviewed as the meeting continues.

Mr. Rast reviewed his budget spreadsheet and numbers which is on file with this day's minutes.

The proposed number for property tax is \$54,450,929 and the Board has decided to take forgone tax revenue of \$2.2M, making the revenue and property tax amount \$58,560,923, which also include circuit breaker and some other revenues. The only real difference between the Clerk's suggested and the BOCC suggested is the foregone amount. The expenses portion of the budget totals \$165,613,811.25, ARPA is subtracted out because it is one-time, non-ongoing monies, which brings the expenses down to \$127,506,974. The enterprise fund will also need to be subtracted out as it is a self-sustaining fund, which leaves \$121,424,278.25. on the revenue side the county is at \$153,126,200, subtract ARPA for expenditures and revenues to zero that and the revenues without ARPA included is \$115,019,363, subtract landfill so based on these numbers it shows the county is in a deficit of \$14,897,755. In comparing FY23 numbers to these tentative numbers the proposed FY24 is equal to or less than FY23. Mr. Rast anticipates that there will be about 11% unspent in FY23 which equates to \$14,602,069.79. Monies from the no longer funded indigent fund will rollover into current expense and potentially into torts, it may be split into a couple different funds. He is forecasting that for the next couple years the county may potentially need to take the 3% to get back to zero and catch up.

Mr. Rast provided a review of position requests that the Board has chosen to either fund and/or not fund for FY24 and each individual budget indicating that the number highlighted in blue are either changes that were discussed either thru the workshops or the Board.

Discussion and decision points for the Board at today's meeting were as follows:

- Clerk and Indigent allocations
- Interpreter fees in the PA's budget: Board is supportive of leaving this line item at \$0, Mr. Rast will reach out the Prosecutor Taylor
- Youth Court: Leave in PA's budget or general youth court fund? Commissioners Brooks and Holton are in favor of leaving this \$20,000 in the PA's budget
- Valley Regional Transit (VRT): Commissioners Van Beek and Holton are in favor of keeping \$50,000 in the budget
- DSD Service Contracts: Board is supportive of leaving as-is in the budget
- County Agent Contract: Total request was for \$99,636; due to the ARPA funding dropping off there was a request to the county to fund pick up that amount of \$71,124.

Commissioner Brooks would like to see the university pick up that amount as they are they are ones that decided to use short-term, one-time monies to grow an ongoing expense; Discussion ensued regarding mileage reimbursement

- There is not enough waterways revenue to pay for an additional position, the \$120,000 would need to be in the Justice Fund

The meeting concluded at 12:07 p.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY AG DEVELOPMENT, LLC, FOR A CONDITIONAL REZONE FROM AN “A” (AGRICULTURAL) ZONE TO A “CR-C-2” (CONDITIONAL REZONE SERVICE COMMERCIAL), CASE NO. RZ2021-0061)

The Board met today at 1:32 p.m. to consider a request by AG Development LLC, represented by Hatch Design Architecture, for a conditional rezone of parcel R33952010 from an “A” (Agricultural) zone to a “CR-C-2” (Conditional Rezone - Service Commercial) zone, Case No. RZ2021-0061. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner III Debbie Root, Jeff Hatch, Andrew Peterson, Jenna Peterson, Greg Marshall, Lois Marshall, Rick York, Steve Hammons, and Deputy Clerk Monica Reeves.

Debbie Root gave the oral staff report. The property consists of 11.41 acres and is located at 9145 Hwy. 44 in Middleton. It is a mixed use primarily residential area, it is transition rural residential/agriculture but there isn't a lot of agriculture that occurs there, it's hobby farm properties. They are restricting development for the service commercial which allows for more intensive uses than the neighborhood commercial zone in the area. The request includes a development agreement limiting the types of uses that will be allowed on the property, and the development design. The applicant is proposing to have an RV and mini-storage facility on the southern portion of the parcel with a management office and a business/flex (non-retail) complex on the northern portion of the subject property. The property is located in an AE Flood hazard area, and there are multiple irrigation structures on the property. It is located within the Middleton Area of City impact and the applicant has signed a pre-annexation agreement with the city to provide for utility corridors when annexation occurs. There is no clear path for annexation at this time. The City of Middleton identifies the property as residential-special use and did not oppose the application. The concept plan is to have enclosed storage for RV and mini-storage structures in varied sizes of units with a management office. The flex space is to be located on the north side of the property closer to Hwy 44; it will not be provided a building permit until city services are available to support those facilities. Ms. Root reviewed the hearing criteria, surrounding land use and character zoning; recent cases approved in the area; access and traffic; facilities; essential services; agency comments; and public comments. The request aligns with multiple goals of the comprehensive plan, and there are some goals and policies it do not align with. On June 15, 2023, the Planning and Zoning Commission and recommended approval as conditioned subject to a development agreement. Following her report, Ms. Root responded to questions from the Board.

The following people testified in support of the request:

Jeff Hatch, with Hatch Design Architecture, testified the property is hobby farm land and they are working with the City of Middleton and they want a use that is complimentary to the surrounding residential and commercial neighborhood along the frontage. They are fine with the storage component, but against the state highway they requested the applicant put in flex retail with a more attractive storefront appearance that gives flexibility to the city for their future intended uses. They worked with the health district and buildings can be built now but they would be restricted by the size of the existing septic system. Their intent is to provide a completed project that utilizes all the existing infrastructure available today and look ahead with the annexation agreement they have established with the City of Middleton so they can tie into municipal services for more intensive uses once annexation has occurred. Mr. Hatch said the City of Middleton supports the application. They have worked with some of the neighbors to mitigate some of their concerns; one of the considerations in regards to the future landscaping plan would be a request for year around vegetation, a request for a lighting plan, and drive lanes. The canals on site will maintain their access, but they will tile and pipe so they have a usable drivable surface above it. In response to questions from Commissioner Holton regarding the restroom, Mr. Hatch said only one restroom is required by code, but if the Board prefers they can make sure it's available 24 hours or with access on the exterior.

The Board had additional follow-up questions for Mr. Hatch as well as staff. Commissioner Van Beek wants the elevation criteria included in the development agreement. Ms. Root said the concept plan that's in the development agreement right now is just a footprint layout site plan so if the Board is looking to ensure that they provide the elevation then we should add that if it's not already in their letter of intent. Commissioner Brooks does not want to tell someone what their building needs to look like.

Andrew Peterson with AG Development testified that he wants to build something attractive up front against the highway, and it would be more storage style at the back of the property. There will be landscape buffers too. They are working with the City of Middleton on the permitting process and with the neighbors on the lighting and landscaping to mitigate the looks of the facility.

The following person testified in opposition to the request:

Steve Hammons lives south of the subject property, and he testified that Andrew Peterson and Greg Hatch have met in his house to discuss their plans for the property and listened to his concerns regarding landscaping and design. Across the back of his property there will be a 16-foot-tall building that will block his view to the north, and he said if they plan to have a 10-foot building he would like it close to his property so that he can maintain his current view. Said they will run a tap off the drain ditch to the Hammons property. He doesn't want lights on poles, and he wants a pleasing color. Rebuttal testimony was offered by Jeff Hatch. He spoke of how they have worked with the neighbors, and he recommends that the southerly building have a maximum

height of 10 feet, and they will have a nice year round landscaping with evergreen shrubs and trees and some deciduous trees. Mr. Hatch and Andrew Peterson responded to questions from the Board regarding the design and fencing for the project. Ms. Root said it would be beneficial to potentially place the proposed fencing and the mixed type landscaping and that they provide landscaping around the home on the frontage of the property. The Hatch presentation exhibit needs to be accepted; and a portion of the presentation indicated there is a retail component on the frontage. Their traffic impact study was specific nonretail so she wanted to make clear that they would have to potentially redo their traffic study if and when at some point that they go to a retail facility vs just office support. Mr. Hatch said they intend to have a septic system that will utilize to some capacity those buildings and it will be restricted by that septic so it will be on a case by case basis as far as the users of the buildings but the intent presented is if you want those buildings built so it looks like a completed project to date versus empty pad sites for years while they wait for annexation, we have achieved the ability to do that. Commissioner Van Beek said that would change what the P&Z Commission conditioned, and the idea was to that on city services and to allow for the single restroom just with the existing water and septic. Mr. Hatch said they are comfortable with the conditions as proposed without the retail. Ms. Root said if the Board requires a public restroom that's available 24/7 they will have to comply with the requirements of Southwest District Health. The electronic media was marked as Exhibit F and was admitted into the record. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek, the Board voted unanimously to close public testimony. During the Board's deliberation, Commissioner Van Beek said she is in favor of the finding and the proposed use, but she wants staff's help to improve the draft conditions of approval, such as adding a 10-foot maximum height to the south end of the property, the north end for Mr. Hammons; the year around landscaping includes the east and west and around the house for the party that is in opposition, with a variety of trees and bushes, evergreen and deciduous; include a wrought iron fence that would encompass the property; and that the building is in substantial compliance with Exhibit F and the elevation that was provided in today's late exhibit. Commissioner Holton said we reviewed the eight questions, and he concurs with what staff presented and with what the P&Z Commission came up with on recommendations and he is comfortable with the drafted conditions with the additions discussed today. The restroom has been described to his satisfaction. Ms. Root said the health district just needs to know what is being proposed and the applicant needs to comply accordingly through a permit. If you place a condition that there shall be exterior access to storage unit customers to the restroom, otherwise if during construction if it's not in the conditions it could get by the building reviewers, and they are not an exterior access. The word *public* will be removed from the reference to the restroom. They will provide 24-hour customer access to restroom facility. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve Case No. RZ2021-0061, conditional rezone of parcel R33952010 from an "A" (Agricultural) zone to a "CR-C-2" (Conditional Rezone - Service Commercial) zone, subject to conditions of a development agreement presented by P&Z Commission with the additional conditions as discussed. Staff will bring the FCO's back for review at a later date. The hearing concluded at 2:45 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Scott Wells, Juvenile Detention Officer; Sage Huggins, GIS Analyst; Madelyn Vander Veen, Associate Planner; Ivan Kowalczyk, Associate Planner; Debbie Root, Principal Planner; Michell Barron, Principal Planner; Dan Lister, Assistant Planning Manager; Tony Almeida, GIS Supervisor.

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Gem Lounge to be used 8/26/23.

MEETING WITH PACIFICORP REGARDING GATEWAY WEST PROJECT INTRODUCTION

The Board met today at 1:34 p.m. with PacifiCorp regarding the Gateway West 500kv Transmission Line Project. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Parks Director Nicki Schwend, Rachel Roberts and Roger Yensen from PacifiCorp, Mike Ybarguen with Idaho Power Economic Development, other interested citizens, and Deputy Clerk Monica Reeves. The project is a joint partnership with Idaho Power and PacifiCorp which is the planning parent company of Rocky Mountain Power who is the service provider in Eastern Idaho, to build and operate approximately 1,000 miles of new high voltage transmission line in Idaho and Wyoming including 3.3 miles through Canyon County, 1.4 miles of which is on private land. An overview was provided of the Gateway West Segment E program, along with their schedule and future milestones, as well as the next steps. The project will:

- Strengthen the electric reliability of the transmission system; reduce outages.
- Provide critical voltage support to the transmission network.
- Reduce line losses while doing so at reasonable costs for customers today and well into the future.
- Enhance the companies' ability to comply with government mandated standards.
- Enhance opportunities for future commercial development.
- Provide tax benefits during construction for materials delivered within the County and increase sales tax base during the length of the project.

(A copy of PacifiCorp's PowerPoint presentation is on file with this day's minute entry.) The substation south of Melba is where the 500kv line comes in. The segment that runs through Canyon County is referred to Segment E-8 and it goes from the Midpoint substation in Jerome County to Hemingway. Parks Director Nicki Schwend said the line comes close to Celebration Park and she is eager to learn more about the process and be aware of how it might potentially affect the archaeological resources at the park and how she can potentially be involved in the

process. The Board thanked the group for the information. No Board action was required or taken. The meeting concluded at 1:51 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 17, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Northwest Land Services, LLC in the amount of \$9750.00 for the DSD department (PO #5745)
- Northwest Land Services, LLC in the amount of \$4850.00 for the DSD department (PO #5746)
- EWSCO in the amount of \$2849.95 for the Facilities department (PO #5666)
- Hits Training & Consulting in the amount of \$1148.86 for the Sheriff's Office (PO #5715)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Bianca Bustamante, Part-Time Housekeeper.

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. Carl Ericson, Deputy P.A. Oscar Klaas (left at 9:57 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Assessor Brian Stender (left at 9:52 a.m.), Administrative Property Supervisor Greg Himes (left at 9:52 a.m.), Director of Facilities Rick Britton (left at 9:35 a.m.), Assistant Director of Facilities Carl Dille (left at 9:35 a.m.), CCSO Deputy Chad Harrold (left at 9:57 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Notice of Ranking for CM/GC Services for the Canyon County Sheriff's Office Building Project:

Consider Notice of Ranking for Architecture/Engineering Services for the Canyon County Sheriff's Office Building Project:

Director Britton explained that the submissions for both the CM/GC and the A&E portions of the project were reviewed by each of their respective committees and narrowed down to the top three. The top three for CM/GC Services are Beniton Construction, ESI and Okland Construction. The top three for A&E Services are Hummell KMB Architects, Lombard Conrad Architects and ZGA

Architects. Commissioner Van Beek made a motion to sign the notice of ranking for CM/GC Services for the Canyon County Sheriff's Office Building project. The motion was seconded by Commissioner Brooks and carried unanimously. Commissioner Brooks made a motion to sign the notice of ranking for Architecture/Engineering Services for the Canyon County Sheriff's Office Building project. The motion was seconded by Commissioner Van Beek and carried unanimously. Copies of both notices are on file with this day's minutes.

Consider Legal Notice of Public Hearing Regarding the Increase of the DMV Registration Administrative Fee: Assessor Stender gave a history of the fees and provided a handout giving information on the proposed fees. The proposed FY24 registration admin fee is \$15.90. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice of public hearing regarding the increase of the DMV registration administrative fee.

Consider Agreement to Provide School Resource Office Services to Notus School District No. 135:

Consider Agreement to Provide School Resource Office Services to Vallivue School District No. 139:

Consider Agreement to Provide Law Enforcement Services Agreement Melba Joint School District #136 and Canyon County:

Lt. Harrold explained these agreements are for SRO services provided by CCSO to the Notus, Vallivue and Melba school districts. These are annual contracts to be signed by the school board and commissioners each year. Lt. Harrold also provided a review of what is provided to each school district and the amount paid by each. There was a 3% increase to each of the agreements this year. Commissioner Van Beek made a motion to sign the agreements to provide school resource officer services to Notus School District No. 135, Vallivue School District No. 139 and Melba School District #136. The motion was seconded by Commissioner Brooks and carried unanimously. See agreement nos. 23-095 thru 23-097.

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 9:57 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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Laura Keys and Deputy P.A. Zach Wesley. The Executive Session concluded at 10:30 a.m. with no decision being called for in open session.

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

CONSIDER SIGNING FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR CASE NO. CU2022-0034-APL (APPEAL BY EW REAL ESTATE CONDITIONAL USE PERMIT)

The Board met today at 10:30 a.m. to consider signing findings of fact, conclusions of law and order for case no. CU2022-0034-APL (appeal by EW Real Estate conditional use permit). Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, DSD Director Sabrina Minshall and Deputy Clerk Jenen Ross. Mr. Wesley explained that this is an extensive record and asked for another week to complete written findings. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to continue this action item to one week from today.

The meeting concluded at 10:32 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER CODE ENFORCEMENT ABATEMENT REQUESTS FOR TWO (2) PROPERTIES

The Board met today at 11:01 a.m. to consider code enforcement abatement requests for two properties. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur, Code Enforcement Officer Katie Phillips, Office Manager Jennifer Almeida, DSD Director Sabrina Minshall, COO Greg Rast (joined at 11:13 a.m. and left at 11:28 a.m.) and Deputy Clerk Jenen Ross.

Prior to starting the discussion regarding property abatement, a discussion was had regarding the expense and revenue associated with abatements. The expense portion of abatement is included in the DSD budget but to Director Minshall's understanding it doesn't seem the revenue comes back to the DSD budget when payment is paid as part of a property lien. Following the discussion, Commissioner Holton instructed Director Minshall to work with legal to have an ordinance written to create a revolving fund account. Additionally, at this time the budget for abatement will remain at the \$25,000 budgeted for FY24.

As part of the agenda meeting, Mr. Arthur provided information on each of the properties and the violations.

5319 Lake Ave, Caldwell: Estimated cost of abatement is \$4850 and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve abatement and sign the associated purchase order (see purchase order #5746).

15938 Sunbeam, Caldwell: Estimated cost of abatement is \$9750.00 and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the abatement and sign the associated purchase order (see purchase order #5745).

The meeting concluded at 11:42 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES DEPARTMENT REGARDING THE PRIVATE ROAD ORDINANCE PROPOSAL

The Board met today at 2:32 p.m. with staff from the Development Services Department regarding the private road ordinance proposal. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, County Engineer Devin Krasowski, Building Official Tom Crosby, DSD Planner III Deb Root, Deputy PA Zach Wesley, COO Greg Rast, and Deputy Clerk Monica Reeves. Director Minshall and County Engineer Devin Krasowski gave a PowerPoint presentation on the following topics:

Goal: Discuss County private road and driveway requirements, legal authority/compliance, and options for a future, improved approach. Receive Board concurrence with approach, or redirection.

- Historic Approaches
- What is the “WHY” for Canyon County ?**
 - LLUPA and associated County Zoning ordinances/plans
 - 67-6502
 - 67-6518
 - 50-1309
 - 41-2503 & IDAPA 18-08-01
 - Canyon County 2030 Comprehensive Plan (and historic plans)
 - Canyon County 07-01-05
 - Canyon County 06-01-09:
- Approach
- Remaining Details and Next Steps

Why

- Public Health and Safety-Provision of Emergency Services**
- Access
- Planned orderly growth
- Dust abatement or aesthetics?

Goals:

Predictability
Consistency
Fairness
Simplicity?

Land Use Nexus

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 65

LOCAL LAND USE PLANNING

67-6502. PURPOSE. The purpose of this act shall be to promote the health, safety and general welfare of the people of the state of Idaho as follows:

- (a) To protect property rights while making accommodations for other necessary types of development such as low-cost housing and mobile home parks.
- (b) To ensure that adequate public facilities and services are provided to the people at reasonable cost.**
- (c) To ensure that the economy of the state and localities is protected.
- (d) To ensure that the important environmental features of the state and localities are protected.
- (e) To encourage the protection of prime agricultural, forestry and mining lands and land uses for production of food, fiber and minerals, as well as the economic benefits they provide to the community.
- (f) To encourage urban and urban-type development within incorporated cities.**

Land Use Nexus

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 65

67-6518. STANDARDS. Each governing board may adopt standards for such things as: building design; blocks, lots, and tracts of land; yards, courts, greenbelts, planting strips, parks, and other open spaces; trees; signs; parking spaces; **roadways, streets, lanes**, bicycleways, pedestrian walkways, **rights-of-way**, grades, alignments, and intersections; lighting; easements for public utilities; access to streams, lakes, and viewpoints; water systems; sewer systems; storm drainage systems; **street numbers and names; house numbers; schools, hospitals, and other public and private development.**

Standards may be provided as part of zoning, subdivision, planned unit development, or separate ordinance adopted, amended, or repealed in accordance with the notice and hearing procedures provided in section 67-6509, Idaho Code.

Whenever the ordinances made under this chapter impose higher standards than are required by any other statute or local ordinance, the provisions of ordinances made pursuant to this chapter shall govern.

Land Use Nexus

TITLE 50

MUNICIPAL CORPORATIONS
CHAPTER 13
PLATS AND VACATIONS

50-1309. CERTIFICATION OF PLAT —DEDICATION OF STREETS AND ALLEYS —DEDICATION OF PRIVATE ROADS TO PUBLIC —JURISDICTION OVER PRIVATE ROADS. 1. The owner or owners of the land included in said plat shall make a certificate containing the correct legal description of the land, with the statement as to their intentions to include the same in the plat, and make a dedication of all public streets and rights-of-way shown on said plat, which certificate shall be acknowledged before an officer duly authorized to take acknowledgments and shall be indorsed on the plat. The professional land surveyor making the survey shall certify the correctness of said plat and he shall place his seal, signature and date on the plat.

2. No dedication or transfer of a private road to the public can be made without the specific approval of the appropriate public highway agency accepting such private road.

3. Highway districts shall not have jurisdiction over private roads designated as such on subdivision plats and shall assume no responsibility for the design, inspection, construction, maintenance and/or repair of private roads.

Land Use Nexus

STATE of IDAHO TITLE 41
INSURANCE
CHAPTER 2
THE DEPARTMENT OF INSURANCE

41-253. STATEMENT OF PURPOSE —ADOPTION OF INTERNATIONAL FIRE CODE.(1) The purpose of sections 41-253 through 41-269, Idaho Code, is to protect human life from fire, and to prevent fires. **These sections are intended to prescribe regulations consistent with nationally recognized good practice for the safeguarding of life and property** from hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises, **and there is hereby adopted the "International Fire Code," 2000 edition, with appendices thereto, published by the International Code Council, Inc. and such later editions as may be so published and adopted by the state fire marshal, as the minimum standards for the protection of life and property from fire and explosions in the state of Idaho.**

Land Use Nexus

IDAPA 18 —IDAHO DEPARTMENT OF INSURANCE State Fire Marshal 18.08.01 —Adoption of the International Fire Code

Who does this rule apply to? This rule applies to the Idaho general public.

What is the purpose of this rule? The purpose of this rule adopts the 2000 edition of the International Fire Code and editions by the State Fire Marshal, **such as the minimum standard for the protection of life and property from fire and explosion in the state of Idaho.**

What is the legal authority for the agency to promulgate this rule? This rule implements the following statute passed by the Idaho Legislature: • 41-02, et. seq., Idaho Code –The Department of Insurance

Land Use Nexus

Canyon County 07-01-05: APPLICABILITY:

This chapter applies to the development and use of all land within the unincorporated area of Canyon County, Idaho.

- (1)**No person shall construct, alter, move, or change the use of a structure** or commence any development or use, unless otherwise preempted by federal, state, or local law, unless:
- A. The proposed use, structure, or division of property complies with this chapter.
 - B. Any approval required by this chapter is first obtained and any applicable conditions of approval are met.

(2)**Nothing in this chapter shall eliminate the need for obtaining any other required permits, including, but not limited to, permits required by the Canyon County building code or any permit, approval, or entitlement required by other ordinances contained in this code, other political subdivisions of the state of Idaho, the state of Idaho, or the federal government.**

Land Use Nexus

Canyon County 2030 Comprehensive Plans (2020 Plan Similar)

G1.01.00 Protect the integrity of individual property rights while safeguarding public health, safety, and welfare

A8.02.01a Require all new developments to be accessible and regularly maintain roads for fire protection and emergency service purposes.

A8.02.02b Require new developments to provide stub streets that connect to future developments on adjacent lands wherever possible, following highway district standards, and require appropriate signage

Zoning Ordinance Overview:

In making decisions on rezones and conditional use permits, the County zoning ordinance requires that certain findings of fact be made in the affirmative in order to grant approval. CCZO Section

07-06-06(H) requires the determination “Will the proposed zoning map amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?”

Canyon County Ord. 19-038, 8-30-2019

07-10-03: PRIVATE ROAD AND DRIVEWAY REQUIREMENTS:

(1) Frontage, Easement, Or Road Lot Required: For the purpose of providing adequate access for equipment, emergency vehicles and other services to inhabited buildings, each parcel must demonstrate access by one of the following prior to the issuance of a certificate of zoning compliance:

A. Frontage: A minimum property frontage of sixty feet (60') is required along the right-of-way of a public road for the purpose of ingress/egress. The frontage width requirement may be reduced to a width not less than fifty feet (50') in accordance with subsection (1)D of this section.

B. Driveway Or Private Road Application, Easement And Maintenance Agreement:

(2) Fire District Road Requirements: The construction of driveways or private roads longer than one hundred fifty feet (150') from the public street right-of-way line to the most distant portion of an inhabited building must be approved in writing from the applicable fire district.

Canyon County Ordinance 06-01-09: BUILDING PERMIT REQUIRED; EXCEPTIONS:

(1) Building Permits: It shall be unlawful for any person to erect, construct, enlarge, alter, repair, improve, move, remove, convert or demolish any building or structure unless a separate permit for each building or structure has first been obtained from the County Development Services Department.

(4) Agricultural Building Exception: This article does not apply to an "agricultural building" as defined in section 06-01-07: of this article. Even though any person wishing to construct an agricultural building is not required to obtain a building permit, any person wishing to construct an agricultural building must apply for and obtain a zoning compliance/permit before any construction begins on the property, pursuant to Idaho Code section 39-4116(5). The purpose of the zoning compliance/permit is to assure that the location of the proposed agricultural building will not obstruct any fire district turnaround required for an inhabited building as mandated by the County zoning ordinance, as amended, and the location of an agricultural building is in compliance with the following list of requirements, including, but not limited to: road setbacks, section line and quarter section line setbacks, and utility easements, imposed by the County zoning ordinance, as amended, and the flood hazard areas regulations required by the CCFHAR.

(6) Required Approvals: Where applicable, a Health Department and/or the local Fire Protection District(s) approval shall be furnished in writing as a condition precedent to receiving a building permit. (Ord. 18-004, 1-29-2018)

Current Issues

- Timing of construction causes trouble
- Confusing language and layout
- Paved vs unpaved threshold
- Consistency between jurisdictional standards and ours
- Mediating between standards/authorities

Proposed Update (General Approach)

•When is access adequate?

- Width
- Material
- Steepness
- Maintenance

•Other considerations

- Dust control
- Aesthetics
- Urbanization

•County involvement

Proposed Update

Summary of approach

- Utilize existing state code and jurisdiction with enforcement authority (07-01-05: Applicability)
- Roads/driveways built before approval of division
- Width of easement matches *goals/nexus*
- Approval only by Fire District *in most cases*
- Except-
 - Additional review in areas of impact
 - City standards *unless waived*
 - Outside of Fire District
 - Exemptions –County basic standards (match state law)
 - Parcels exempt from State Law (IFC) (> 5 acres)
 - Exemptions –County basic standards (match state law)

Review of a Proposed Update (Examples)

Current vs. Proposed

Details to Work Out

- Private roads intersecting private roads
- Drainage requirements
- Are there situations where:

- Private roads should not be allowed
- Gravel road cannot reasonably meet the intended purpose of 07-10-03. i.e., should there be a pavement threshold
- Limitation of lots or structures for private roads
- Implementation strategy and timeline
- Non-conforming situations
- External communication method

Concurrence with Approach or Redirect

Next Steps and Timeline

A general discussion ensued, followed by Chairman Holton asking staff to bring back another document with more definition and that the Board can edit in another workshop. Commissioner Brooks asked staff to come back with more real world examples that can be reviewed and discussed. The meeting concluded at 4:03 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER APPROVING THE FY2024 TENTATIVE BUDGET FOR PUBLICATION

The Board met today at 4:16 p.m. to consider approving the FY2024 tentative budget for publication. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, Audit Supervisor Sarah Winslow, HR Director Kate Rice, HR Generalist Cindy Lorta, Sheriff's Financial Manager Dave Ivers, Erin Banks Rusby from the Idaho Press Tribune, and Deputy Clerk Monica Reeves. Commissioner Holton said today's meeting follows the Board's August 15, 2023 meeting where it reviewed all 54 budgets line-by-line and then had a couple of other meetings with the Clerk and Chief Deputy, and all three Commissioners have been giving individual input and review. COO Rast said he worked with the Chief Deputy and the Clerk and from the workshop on August 15, 2023 they went through the budget and he formulated all the sheets into a packet which has been attached to the agenda as a packet for transparency. There were three changes that came about between August 15 and today's date; there were three individual requests one from each Commissioner and he communicated through email asking if there is support for it and there was, but to be clear he wants to discuss it on the record.

1. **Elections Equipment:** Commissioner Brooks met with the Elections Office regarding elections equipment and a software upgrade for security needs and it was proposed to allocate \$40,000 for a software upgrade and \$260,000 for equipment for a potential of 3 or 4 new precincts for a total of \$300,000. The reduction gave the potential for flexibility somewhere else. Commissioner Van Beek said it's her understanding it will help reduce the wait times by getting more controllers and voting machines, and the non-negotiable portion is the \$40,000 for the software upgrade. Commissioner Brooks said the \$260,000

is for the Elections staff to decide how best it will suit the needs of citizens. In his discussion staff mentioned that some of the money could be spent better serving those with disabilities by using curbside voting, for example, and so it will be at staff's discretion on whatever they need to help alleviate some of the stress at precincts. There is Board concurrence for this change.

2. **University of Idaho/County Extension:** Commissioner Van Beek was working with the County Agent on a University of Idaho contract, and an employee line item. There is a request to move it from \$71,000 to the full request of \$99,636, based on a match of either two part-time employees or one full-time employee. Commissioner Van Beek said on some of the wages there has been some movement from tenured people so the backfill was some savings on that side, but when Director Howard presented they did not have confirmation that there would be granting funding for a new position. They did get the grant and it's funded half by the U of I at \$19,000, and the request is for \$19,000 from Canyon County. They asked for an additional \$6,300 in mileage, which the Board did not provide but there is room for Director Howard to ask the U of I for that. Commissioner Holton supports the change. Commissioner Brooks said the presentation was difficult to follow, but after seeing the email communication from Commissioner Van Beek, he is happy to receive the clarification and he supports the change. There is Board consensus for the additional \$28,000.
3. **Funding request for Treasure Valley Water Users Association:** Commissioner Holton wants to provide funding in the amount of \$5,000. Their original request was \$20,000, and they advised that Ada County was providing \$50,000; however, Canyon County does not do planned community developments like Ada County does so our percentage of participation in growth in the County is less than 5% compared to the other municipalities. We realize we have a surface water and aquifer issues and the TVWUA is going to start a very organized effort to quantify that and they will work with the Treasure Valley area on how we are going to plan forward with that. Commissioner Van Beek said the cities are at a greater level and she thinks the 5% makes sense. Commissioner Brooks concurs with the \$5,000 amount.

COO Rast said those three items have been included in the tentative budget for publication.

Controller Wagoner said the tentative budget cannot be increased between now and the August 30 budget hearing. He reviewed the two budget documents presented today. One document is the budget by fund which details County funds including governmental funds such as current expense, justice fund, etc., the landfill enterprise fund, and our special revenue taxing districts, the Pest Control District and the Melba Gopher District. The grand total of the 2024 tentative expenditure budget is \$165,988,676 on the expenditure side of the equation. The sources of funding for that total include property tax, the total property tax levy by the County is \$56,364,662

and that includes approximately \$2.2M of previously forgone property tax increases. The property tax levy for the Pest Control District is \$289,309, and the levy for the Melba Gopher District is \$12,000. Commissioner Van Beek said we had \$132M last year and this year's budget amount of \$165M includes \$38M in ARPA funds. Controller Wagoner said the most significant difference between last year's and this year's is the application of \$38M of federal ARPA monies for investment in capital projects. Commissioner Van Beek said if we took that number out we would be looking at approximately \$127M. Controller Wagoner said also included are revenues from other sources, charges for fees, etc., and the total for that is \$96,694,462. In order to have a balanced budget we need to apply a certain dollar amount of fund balance to balance the budget. This is not a projection or prediction that we are actually going to use fund balance, it's a budgetary exercise to ensure that the budget is balanced and that the County does have sufficient cash to fund this budget entirely. The amount of fund balance used to balance the budget is \$12,628,243. We need to be aware a majority of that impacts the current expense fund. The current expense fund has a healthy fund balance, we do have the option to use that to balance the budget and we need to be mindful going forward a large percentage of that \$12M is coming from the current expense fund. The second page of the document details the date and time of the budget hearing, and it also references at that same meeting there will be a hearing specifically to include the \$2.2M in forgone property tax.

Commissioner Brooks referred to the leftover amount in indigent and asked if today's procedure in any way prohibits the Board from using that to help alleviate some of the hit to current expense? Controller Wagoner said no, it does not prevent that in any way. Those monies are in the bank and are still available and they could be applied to help current expense.

Commissioner Van Beek asked the Controller to address the use of forgone. Controller Wagoner said it may be helpful to think of the \$2.2M as two parts. There is approximately \$500,000 for maintenance and operations, and approximately \$1.7M of forgone that needs to be assigned to capital investments, so in preparation of the August 30th hearing we will need to review our budget and identify the capital investments that will be funded by the forgone property tax. The process to calculate the forgone, the 3%, has become quite complicated, we have been through it thoroughly and he believes we have the correct number dialed in. Commissioner Van Beek said for all intents and purposes this will be very close to last year's budget and she asked COO Rast for comments. Mr. Rast said if you look at the numbers from this year on expenditures versus the expenditures minus ARPA funds on both in FY2023 we are pretty neutralized with the adjustments with salary and benefits in the last pull, we might be slightly over on expenses but not by much. We have pretty much neutralized from FY2023 to FY2024 on expenses. We have held the line. Controller Wagoner said there is an additional document for publication that provides a more in-depth detailed look at the expenditure budget. The budgets are very specific to offices and departments and breaks it out into two categories, salaries and benefits, and other expenses. Commissioner Holton said the public can go back to the August 15, 2023, meeting where the Board has posted PDF's of all 54 budgets the Board reviewed line-by-line. COO Rast said there are 56 worksheets that he and the Board reviewed. The workshop numbers were off the August 4th extracted and there will be small changes if compared to this one because these are actuals and the latest pull on salaries and benefits. Controller Wagoner said they pulled the most current

salary and benefits information and there was a change in the PERSI rates which changed on July 1, and we started this budget process in April so we ran the most current payroll information and reprocessed every County position to get the most current, accurate, up-to-date payroll information so there will be some nuanced differences on the payroll side. He referenced the L-2's that will be signed on August 30th once the budget is officially approved and said he brought them today in case there were any questions on the calculations.

Commissioner Van Beek said this is an effort that the citizens and the Board can be proud of because they worked long hours to make sure the budgets have been explored, and what they are funding and what they are not funding and why. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the FY2024 tentative budget for publication. The budget hearing will be held on August 30, 2023 at 5:00 p.m. in the public meeting room of the Canyon County Administration Building. The Board intends to include in its FY2024 property tax levy a forgone increase and a hearing will be held in conjunction with the County's annual budget hearing. The notice and the FY2024 tentative expenditure budget will be published in the Idaho Press-Tribune on August 17, 2023. The meeting concluded at 4:42 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 18, 2023

No meetings were held this day.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 21, 2023

APPROVED CLAIMS

- The Board has approved claims 597551 to 597583 in the amount of \$43,511.45
- The Board has approved claims 597584 to 597615 in the amount of \$39,008.16
- The Board has approved claims 597616 to 597643 in the amount of \$50,667.73
- The Board has approved claims 597644 to 597692 in the amount of \$66,291.85
- The Board has approved claims 597693 to 597713 in the amount of \$8,938.00
- The Board has approved claims 597764 to 597795 in the amount of \$51,856.03
- The Board has approved claims 597714 to 597763 in the amount of \$146,875.64
- The Board has approved claims 597518 to 597549 in the amount of \$43,603.52
- The Board has approved claims 597796 to 597837 in the amount of \$154,395.29
- The Board has approved claims 597838 to 597874 in the amount of \$144,692.85

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- WBS in the amount of \$3,919.28 for the Facilities Department (PO #5667)
- Elevate Technology Group in the amount of \$15,100.00 for the Information Technology Department (PO #5734)
- Right! Systems, Inc., in the amount of \$18,468.00 for the Information Technology Department (PO #5735)
- Zoho Corp., in the amount of \$1,935.00 for the Information Technology Department (PO #5737)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Carley Mazurek, Clerk I (Underfill II).

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for County Line Wine to be used 9/15/23; Grant's Grill to be used 8/26/23; The Curb Bar & Grill to be used 9/2/23; Good Apple Taphouse to be used 9/2/23; Eastside Tavern to be used 9/2/23, 9/9/23, 9/16/23, 9/23/23, and 9/30/23.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 22, 2023

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Legends Sports Pub & Grill to be used 10/7/23, 9/23/23, 9/17/23, 9/16/23; O'Michael's Pub & Grill to be used 9/30/23, 9/24/23; Tower Grill to be used 10/6/23, 9/9/23, 9/23/23, 10/1/23.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Master Plumbing in the amount of \$2,115.00 for the Facilities department (PO #5668)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Nicholas Talbot, Deputy Sheriff – Inmate Control; Cameron Goetz, Deputy Sheriff – Inmate Control.

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 Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas, Lt. Travis Engle (left at 9:45 a.m.), Director of Juvenile Detention Sean Brown (left at 9:46 a.m.), Facilities Director Rick Britton (left at 9:40 a.m.), Elections Supervisor Haley Hicks (left at 9:39 a.m.), Elections Specialist Brandi Long (left at 9:39 a.m.), Parks Director Nicki Schwend (left at 9:53 a.m.), Outdoor Recreation Planner Alex Eells (left at 9:53 a.m.), Clerk Chris Yamamoto (left at 9:39 a.m.), Cpt. Harold Patchett (left at 9:45 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Canyon County Elections Building Construction Project Architecture and Engineering Professional Services Contract with RBA Architects, LLC: Director Britton addressed several questions posed by Commissioner Van Beek and Mr. Klaas said the timetable will be determined once there is a working meeting with both the A&E and CM/GC contractors. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Canyon County Elections Building Construction Project Architecture and Engineering Professional Services Contract with RBA Architects, LLC (see agreement no. 23-098).

Consider Addendum No. 1 to the Request for Proposals for Canyon County Jail & SW Idaho Juvenile Detention Center Food and Commissary Services: Three entities attended the walk-thru and several questions were received mainly pertaining to the jail and today's addendum addresses the questions that were received. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign Addendum No. 1 to the Request for Proposals for Canyon County Jail & SW Idaho Juvenile Detention Center Food and Commissary Services.

Consider Juvenile Detention Housing Agreement with Owyhee County: Director Brown said this agreement has been in place for several years and the only change is that the daily rate has increased from \$210 to \$220. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Juvenile Detention Housing agreement with Owyhee County (see agreement no. 23-099).

Consider reimbursement/close-out report for the Non-Motorized Dock grant project: Director Schwend explained that the project is now complete and they just need the Chairman's signature in order to submit the close-out report and request reimbursement. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the reimbursement/close-out report for the Non-Motorized Dock grant project.

Discussion ensued regarding the purchase of the Allen property and water rights options. Closing of the sale is scheduled for August 31, 2023 and the Board has decided they would like to do the signing in-person at the title company.

The Board requested updates on the request for reconsideration and URA, both of which are being handled by Mr. Wesley. Mr. Ericson said he would let Mr. Wesley know that the Board is looking for an update.

The meeting concluded at 10:03 a.m. and an audio recording is on file in the Commissioners' Office.

MEET-AND-GREET WITH INTEGRA DELAMAR

The Board met today at 3:36 p.m. for a meet-and-greet with Integra DeLamar. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Ysabel Bilbao from Bilbao Company, Emily Hendrickson, the External Affairs Manager for Integra DeLamar, and Deputy Clerk Monica Reeves. The DeLamar project is located in Owyhee County approximately 100 miles from Boise and is roughly 21,431 acres. Integra Resources purchased the project and is working to reopen the mine. While the project sits outside of Silver City and on the Oregon/Idaho border, once it is in operation, many of the employees are expected to live in Canyon County and commute to work. Impacts to Canyon County will be traffic and employment. The general ratio is for that for every one mining job three downstream jobs are created. The mine life will be 10 years, to start. They will submit the mine plan of operations to the BLM at the end of the year and then they will go through the NEPA process, followed by a full environmental impact statement. They are hoping for a record of decision by the end of 2026, and then there will be 18 months of construction and they go into production by the end of 2027. The goal of the meeting is to open the lines of communication. No Board action was required or taken. The meeting concluded at 3:57 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 23, 2023

APPROVED CLAIM

- The Board has approved claim 597875 ADV in the amount of \$0.00 (Zeroed out by petty cash)

APPROVED PAYROLL AUGUST 25, 2023

The Board approved the August 25, 2023 payroll in the amount of \$2,337,576.10

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Carbon Networks LLC in the amount of \$8360.00 for the Information Technology department (PO #5738)
- Butte Fence in the amount of \$14,826.57 for the Facilities department (PO #5672)
- Plumbmaster in the amount of \$3065.00 for the Facilities department (PO #5669)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Rider Hofer, Heavy Equipment Operator; Gunnar Clapp, Sr. Weed and Gopher Applicator; Kevin Michael Patchett, Deputy Sheriff – Inmate Control; and Jacob Petras, Deputy Sheriff – Inmate Control.

MEETING TO CONSIDER AGENDA ITEMS

The Board met today at 10:08 a.m. to consider agenda items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy Treasurer Tonya May, Eric Johnson and Richard Flood with Idaho Legal Aid, Chief Deputy P.A. Carl Ericson (arrived at 10:25 a.m.) and Deputy Clerk Jenen Ross. The agenda items were considered as follows:

Consider hardship application for Jose Padilla: Mr. Johnson spoke to some of Mr. Padilla's issues and factors that have led to his situation. Discussion ensued which reviewed Mr. Padilla's issues, the ways that Idaho Legal Aid is trying to assist now that they are involved, a background on property taxes and possible options. Legal Aid explained that they are working to get Mr. Padilla social security/disability benefits and that a hearing is scheduled for October. They are requesting that the 2019 taxes of \$3083.83 be cancelled allowing them some time to work thru Mr. Padilla's circumstances to find a better solution. Following the discussion Commissioner Holton said he cannot find a way to defend this to the taxpayers and made a motion to deny. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Holton and Brooks voting in favor of the denial and Commissioner Van Beek voting in opposition. The motion carried in a 2-to-1 split vote.

Consider Treasurer's Tax Charge Adjustments by PIN for July 2023: Commissioner Holton made a motion to approve the Treasurer's tax charge adjustments by PIN for July 2023 in the amount of \$28,609.15. The motion was seconded by Commissioner Brooks and carried unanimously.

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

MEETING TO CONSIDER ACTION ITEM

The Board met today at 10:36 a.m. to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Clerk Chris Yamamoto, Controller Zach Wagoner, HR Director Kate Rice, HR Generalist Kendra Elgin, COO Greg Rast and Deputy Clerk Jenen Ross.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 10:37 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d), (f) and (i) regarding personnel matters, records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner 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. Carl Ericson, Clerk Chris Yamamoto, Controller Zach Wagoner, HR Director Kate Rice, HR Generalist Kendra Elgin and COO Greg Rast. The Executive Session concluded at 11:34 a.m. Following the exec session, the action item was considered as follows:

Consider resolution approving changes to the job title, job description, salary range and FLSA status for PCN 746 in the Elections Office; and job description and salary change for PCN 747 in the Elections Office: Controller Wagoner spoke about the challenges facing the elections office and in order to better meet the need they need to reclassify positions; an Elections Specialist Lead will be changed to an Office Manager and the Elections Operations Supervisor job description will be reworked. Commissioner Brooks made a motion to sign the resolution approving changes to the job title, job description, salary range and FLSA status for PCN 746 in the Elections Office; and job description and salary change for PCN 747 in the Elections Office. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 23-201).

The meeting concluded at 11:38 a.m. Due to a recording error there is no audio of the conclusion of the executive session and action item.

PUBLIC HEARING TO CONSIDER PRELIMINARY PLAT FOR RHETT'S ACRES SUBDIVISION, CASE NO. SD2022-0014

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by TJ Wellard, representing Best Investments, LLC, and Troost Family Living Trust, for approval of a preliminary plat for Rhett's Acres Subdivision, Case No. SD2022-0014. Present were:

Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planning Official Dan Lister, DSD Planner III Michelle Barron, TJ Wellard, Greg Bullock, Greg Troost, and Deputy Clerk Monica Reeves. DSD Planner III Michelle Barron gave the oral staff report. The applicant is requesting approval of a preliminary plat for Rhett's Acres Subdivision, consisting of 10 residential lots and 1 private road lot. The subject property is located at Linden Street and Tranquil Place in Caldwell and is zoned rural residential and located in Caldwell's area of city of impact. The request includes a full waiver of the City of Caldwell's subdivision requirements of curb, gutter, sidewalk, streetlights, and landscaping, but the City told the applicant it would not grant a waiver of the improvements. Final approval from the Board could override the City's requirements and allow a waiver of the improvements. On May 4, 2023, the Planning and Zoning Commission recommended approval of the plat subject to conditions and recommended the applicant provide a drainage plan. Some residents had concerns about the blockade on the road where they access irrigation.

The following people testified in support of the request:

TJ Wellard testified the development is a 10-lot subdivision that will access the existing the private road that already meets County standards for a private road. When they brought the proposal through the zoning process this property was proposed as a buffer between the agricultural area and the City of Caldwell expanding that direction, which is why they are seeking waivers to keep a larger lot size. If the applicant were to do curb, gutter, sidewalk just along the frontage of Linden Road it would create a problem for drainage the way it's currently functioning. It's a steep drop off from Linden to the adjacent ground, so they'd be building it up and putting in improvements which the highway district does not want to deal with. The city does not allow private roads in their code so there is no way to address curb, gutter and sidewalk on the private road with them. As far as a drainage plan, the private road is existing and is currently functioning. He doesn't know what they would provide other than what is currently doing which the pre plat already shows. If there is a drainage plan requirement what the County engineer wants would have to be conveyed to them so they know what to provide. Nobody knows where the concrete barriers came from, but there is a feeder ditch that is along the northeasterly boundary which the canal company has rights to access, but he doesn't know why the neighbors want to walk around there. It's private property so they have no rights to go down unless to turn on water, but he is not sure it exists over there for the neighbors. The Board had follow-up questions regarding the road standards. Ms. Barron said it was accepted by the County engineer as part of the application and it will be taken care of during final plat assure all of that is approved.

Greg Bullock testified they began this process three years ago and had neighborhood meetings that went well. People were opposed at the P&Z Commission hearing but the Commission explained it's in the Caldwell impact area and if the property owner waits until the sewer gets to the property they could be looking at 80-100 lots rather than the proposed 2-acre parcels. There were follow up meetings with the neighbors who expressed their support for the 2-acre parcels. The Board approved it and defined it as an excellent transitional rural setting that is transitional property. The neighbors like the rural setting and they don't want sidewalks, streetlights, etc. The

drainage has been utilized it for a long time and there have not been any drainage issues so basically the plan has been the barrow pit. The drainage plan will continue to work.

Commissioner Holton is concerned about a letter from Caldwell Rural Fire Protection District, and he doesn't see how the applicant will meet the fire hydrant requirements. Mr. Bullock said on two-acre lots they have not been required to do fire hydrants and fire suppression. Commissioner Brooks has a problem conditioning fire hydrants when he doesn't know what their requirements are. DSD Director Minshall suggested we generalize it and say the plat shall comply with the legal requirements of fire district and not reference the attachment because it looks like a form letter that's more about city standards. The fire district will specify the requirements based upon the international fire code. Commissioner Brooks said the fire district erred by submitting a letter that doesn't apply to rural property. Director Minshall said the letter lists recommendations, not conditions, and they are standard. The Board could say it shall be in compliance with Caldwell Rural Fire Protection District's requirement as provided legally in the International Fire Code and let the applicant and the fire district work it out. DSD would require that approval prior to final plat. Further discussion ensued. Commissioner Holton doesn't want the applicant stuck in the middle of this with something specific that has nothing to do with a rural setting. Ms. Barron suggested language that states the plat shall comply with the requirements of the Caldwell Rural Fire Protection District, and perhaps even a letter stating the required conditions prior to final plat.

TJ Wellard offered rebuttal comments and said some of the fire district requirements are home-specific, so the development itself may be able to meet some of the requirements as far as access but water requirements typically are not done on the development level in a rural setting. He agrees with Director Minshall's point about having a general requirement to meet fire district requirements. There are some things they do not know how to meet if they are not building the structures themselves.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Holton wants to strike the language at the end of the sentence on Condition No. 5, that references Attachment 4F. Commissioner Van Beek agrees. Regarding the waiver request, Commissioner Holton said the P&Z Commission did not address the entire issue and we are not held to the City of Caldwell's Subdivision Ordinance in the impact area. Dan Lister said the code allows the Board to waive the subdivision improvement requirements, and they can waive the City code requirements as well which would take away the requirement for the City to sign the plat. The P&Z Commission's recommendation is to only consider the improvements and allow it to still meet some of the City's requirements they are asking for, or just waive the only thing. The only disagreement is on the waiver of improvements. The order can be updated to say the Board waives the subdivision improvements requirements. Commissioner Brooks said P&Z Commissioner Sheets expressed his opinion on sidewalk, curb, and gutter, and he concurs with the findings that the improvements are completely out of character at this location. Commissioner Holton said Mr. Wellard's testimony brought out the issue of waiving the Caldwell Subdivision Ordinance standards and the Board is in agreement with that and they want to modify Condition No. 5 to strike the reference to attachment 4F. Commissioner Brooks made a motion to approve Case No. SD2022-0014 based upon the findings of fact, and

conclusions of law for the preliminary plat for Rhett's Acre Subdivision subject to the conditions of approval as enumerated and to grant the waiver of subdivision improvements as requested from the City of Caldwell. Commissioner Van Beek seconded the motion and asked for the inclusion of the amendment to Condition No. 5 striking Attachment 4F. Commissioner Brooks amended his motion to include that and the amendment was seconded by Commissioner Van Beek which carried unanimously. The FCO's are on file with this day's minute entry. The hearing concluded at 2:28 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 24, 2023

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for Henry Briggs, Hazardous Waste Screener/Heavy Equipment Operator; Roy Rodgers, Juvenile Detention Officer; Haley Hicks, Office Manager, Elections; and Brandi Long, Elections Operations Supervisor.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- R&H Wholesale Supply in the amount of \$4155.00 for the Facilities department (PO #5670)
- Dell in the amount of \$1899.36 for the information Technology department (PO #5739)

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, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas, Lt. Chad Harrold, CCSO Communication Manager Roxanne Wade (left at 9:42 a.m.), Lt. Travis Engle (left at 9:42 a.m.), Director of Juvenile Detention Sean Brown (left at 9:37 a.m.), Assistant Director of Juvenile Detention Shawn Anderson (left at 9:37 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Addendum No. 2 to the Request for Proposals for Canyon County Jail & SWIJD Food and Commissary Services: There were no questions received thus making this addendum null and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign addendum no. 2 to the request for proposals for Canyon County Jail & SWIJD food and commissary services.

Consider Request for Information for Inmate Phone/Tablet Services and Equipment:

Consider Notice of Publication for Inmate Phone/Tablet Services Request for Information: Lt. Engle explained that the purpose of this RFI is to make sure the county is getting the best product for the money. Mr. Rast said he would like himself or a new CIO to take part in this project as IT is highly involved in this service. Commissioner Brooks made a motion to approve the request for information for inmate phone/table services and equipment as presented. Commissioner Van Beek seconded the motion. Commissioner Brooks amended his motion to include the notice of publication for inmate phone/tablet services RFI. The amended motion was seconded by Commissioner Van Beek and carried unanimously.

Consider Memorandum of Understanding between Caldwell School District and Canyon County for Emergency Security Camera Access: Per Ms. Wade, the Caldwell School District requested that Canyon County dispatch have access to the camera system in case of an event. Canyon County will only have access if there is an event, no other times and will need to comply with FERPA guidelines. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the MOU between Caldwell School District and Canyon County for emergency security camera access (see agreement no. 23-100).

Consider Memorandum of Understanding with Canyon County Sheriff, Caldwell Police, and Nampa Police for the 2023 Byrne Justice Assistance Grant: This is an MOU that is signed annually for a federal grant based on certain parameters. This year Canyon County's allocated amount is \$23,476. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the MOU between Canyon County Sheriff, Caldwell Police and Nampa Police for the 2023 Byrne Justice Assistance Grant (see agreement no. 23-101).

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 9:43 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, Deputy P.A. Oscar Klaas and COO Greg Rast. The Executive Session concluded at 10:27 a.m. with no decision being called for in open session.

The meeting concluded at 10:28 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONSIDER RESOLUTION APPROVING A PLAT VACATION FOR CASE NO. VAC2023-0001(PHILIP AND GLENDA HORTON)

The Board met today at 10:31 a.m. to consider a resolution approving a plat vacation for Case No. VAC2023-0001, for Philip and Glenda Horton. Present were: Commissioners Brad Holton and Zach Brooks, DSD Planning Official Dan Lister, DSD Planner III Michelle Barron, DSD Planner Sage Huggins, and Deputy Clerk Monica Reeves. The Board held a public hearing on August 9, 2023, at which time the requested plat vacation was approved. Today Ms. Huggins reported that the resolution goes along with the action the Board took on August 9 to vacate those easements. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to approve the resolution to vacate the 12 foot utility and irrigation easement along the northeast and south lot lines located on Lot 4, Block 1 of Kodiak Subdivision. (Resolution No. 23-202.) The meeting concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR CASE NO. CU2022-0034-APL (APPEAL BY EW REAL ESTATE, LLC, FOR A CONDITIONAL USE PERMIT)

The Board met today at 10:38 a.m. to consider signing the Findings of Fact, Conclusions of Law, and Order for Case No. CU2022-0034-APL, the appeal by EW Real Estate, LLC, for a conditional use permit. Present were: Commissioners Brad Holton and Zach Brooks, Deputy PA Zach Wesley, DSD Planning Official Dan Lister, DSD Planner III Michelle Barron, and Deputy Clerk Monica Reeves. Public hearings were held on July 25, and July 26, 2023 and at the conclusion of the hearing process the Board voted unanimously to deny the appeal by EW Real Estate, LLC, and uphold the P&Z Commission's denial. Today staff presented the Board with the FCO's, which were reviewed by Deputy PA Zach Wesley. The written findings go through the evidence the Board received independently of the P&Z Commission on the 25th and 26th of July and puts into writing the analysis the Board had on the record. Following review Commissioner Brooks said the FCO's align with what he recalls at the hearings and he is in support of approving the FCO's as presented. Upon the motion of Commissioner Brooks and the second by Commissioner Holton the Board voted unanimously to sign the Findings of Fact, Conclusions of Law, and Order for Case No. CU2022-0034-APL, the appeal by EW Real Estate, LLC. The meeting concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING - SIERRA VISTA PROPERTIES/MINT FARM ESTATES - REZONE AND PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN, CASE NOS. RZ2022-0011 AND SD2022-0034

The Board was scheduled to conduct a public hearing today at 1:31 p.m. in the matter of a request by Sierra Vista Properties, Inc., for a rezone from an "A" (Agricultural) zone to a "R-R" (Rural Residential) zone. The request includes a Preliminary Plat, Irrigation, and Drainage Plan for Mint

Farm Estates Subdivision. This case was originally heard by Commissioners Van Beek and Brooks on July 12, 2023 and was subsequently continued to today's date, August 24, so that Commissioner Brad Holton could review the evidence and participate in the hearing. Due a lack of quorum on August 24, 2023 at 1:30 p.m., it is necessary to continue the public hearing to August 31, 2023 at 1:30 p.m. This announcement was made at 1:31 p.m. today by Commissioner Zach Brooks. An audio recording is on file in the Commissioners' Office. (Those present included Commissioner Zach Brooks and Deputy Clerk Monica Reeves.)

DISCUSSION REGARDING CANYON COUNTY PAYROLL

The Board met today at 3:35 pm. for a discussion regarding Canyon County payroll, with a potential action item of transferring payroll to the Human Resources Department. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, HR Director Kate Rice, HR Generalist Demi Etheridge, HR Generalist Cindy Lorta, HR Generalist Kendra Elgin, Senior Admin. Specialist Anna Gray, and Deputy Clerk Monica Reeves. Chairman Holton said he and COO Rast met with Clerk Yamamoto and Controller Wagoner yesterday and asked them to be thinking about today's meeting and be ready to discuss concerns and issues. He said the Board has been thinking about this a little longer than the discussions right here/right now. Director Rice said she has found herself in a unique situation asking for payroll processing as it has a dubious reputation in many organizations because payroll can be a bit of a challenge but she feels the County has made a commitment to use the ADP system as a processor. It is a world-renowned and a major processor and is used by major corporation and government entities throughout the world and we are not fully taking advantage of the systems and the products ADP offers that we are paying for. She wants to explore some of those for efficiencies. We are currently meeting processes, but many of the processes are manual and labor intensive and it seems to be labor intensive on the HR staff. She has not seen dual control of separate departments verifying payroll for Canyon County, and with over 900 employees and a \$60 million payroll we need to ensure that we have dual control and transparency and to utilize the world class system of ADP to the fullest. She believes HR should be more a part of the payroll processing. COO Rast said he's spoken with Ada County and HR does process payroll and it is validated through the accounting side of the Clerk. In most organizations HR usually is responsible for the functions of payroll. One of his concerns is the lack of checks and balances when you have one group that owns payroll, runs payroll, and validates payroll, and when Director Rice said she wanted to investigate it further and they had talks with the Clerk about splitting base salary pay and specialty pay there was some pushback so they started looking through different processes. Commissioner Van Beek supports having dual control to safeguard the payroll process. Controller Wagoner said approximately 12 years ago the County was using paper timecards and wanted to change that process so they enlisted the help of ADP with an electronic timecard, and they also wanted to provide employees greater access to payroll detail. It's been a bumpy road. He shared a story where a few years ago ADP had a portal for employees to update information, but employees were not able to update their tax withholding information on the portal. An announcement was made that employees could update their tax information through the portal so the Audit Office explored that and during the process they found out that

you could update the federal withholding but not the state withholding. The Controller decided they would not turn that feature on because it would create confusion by having one portion that could be done electronically, while the other portion would have to be done with the paper form. The Audit Office takes great pride in timely and accurately processing payroll, it's a top priority. He said there are separation of duties and responsibilities; HR does create new employee records and they have entered the new employees for quite a few years. Director Rice said she was not aware of the employee portal issue with updating state tax records and is not aware if that is still an issue. She said they are exploring an onboarding process that seems to be very robust and provides the opportunity for employees to identify their state tax withholdings. As far as creating new employees, HR does do some data entry and it is approved and updated by the Audit team but HR cannot create an employee to go live, in fact, they just had a situation where they had new employees starting on Monday and they were not able to access their timecards until Wednesday because of the Audit team not initiating and accepting the new employee data entry that had been done by HR. She agrees there have been bumps in the road with ADP and it can be difficult to get in touch with them or get a straight answer, but HR has continued to work to get answers to ensure efficiency and accuracy. Commissioner Van Beek said if service doesn't improve the County could do a request for proposals (RFP) for payroll services. Clerk Yamamoto said in order to make good decisions you must have the facts and the truth, and he said the memo prepared by HR Director Rice is filled with inaccuracies and he suggested the Board put this matter on hold and have an independent party do some interviews to get the facts and see what's going on because he's afraid the Board will regret making a decision to move payroll. Commissioner Van Beek said the Board and COO Rast did a deep dive and looked at the budget and there have been questions asked about the specialty pay and lead pay and it has been a difficult ask in some regards to get those separated and provide the documentation and that is problematic to her. The County is looking for the ability to operate efficiently and embrace the technology that is available. Commissioner Brooks said he is not necessarily interested in an investigation, but he asked if the Clerk would address the inaccuracies in writing. Clerk Yamamoto said he will provide whatever the Board wants. Commissioner Holton wants to see flowcharts from both sides on how the authority currently flows and how they see it flowing once it's changed, and enumerating the unintended consequences and bring them back for discussion. Commissioner Van Beek said the Board asked Director Rice to highlight some of the problems she found, and the Board found things in its discovery, and she believes the Board has what it needs to proceed. Clerk Yamamoto asked if the Board, or anyone representing the Board, asked those same questions of the Audit Office because this is not a one-sided game. Commissioner Brooks said he thought the issues were supposed to have been worked out at yesterday's meeting so he is surprised the Clerk is upset today. He doesn't want to make any decisions where it's obvious that someone in the process feels that the decisionmakers do not have all the information; however, he does not want to drag this out. Commissioner Holton said we can give the Board time to talk in between and get some documentation and points of concern and come back on Tuesday. This will be a great exercise to look at our organizational flow and make decisions. He asked for the issues to be presented to the parties by Monday afternoon. *(Clerk Yamamoto and Controller Wagoner left the meeting room at this point.)* Commissioner Van Beek thanked Director Rice for her integrity and she is confident the information she provided has highlighted things that need to be addressed and this Board has the statutory ability to address those issues for the sake of the employees and the taxpayers.

Director Rice said she was asked to put this together. Commissioner Brooks concurred and he expressed his appreciation for it. He said this is extremely confrontational and it comes across with a tone of accusation but the Clerk and Controller did not respond to it yesterday and he didn't want the Clerk to blow up on the record. Commissioner Holton said the Board sees issues that it needs to address and however it ends up they will get addressed one way or the other. Director Rice said HR is in full support and will process accordingly for the best of the County and the taxpayers. This is not a land grab and she is not going to stake her career on this function but she does have a capable and dedicated team that can do a fine job for the employees. COO Rast appreciates Director Rice saying there is an issue that needs to be worked through. Commissioner Van Beek agrees that the perception could be confrontational but there was no malice, it's just a statement of where Director Rice believes this to be. The meeting concluded at 4:03 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 25, 2023

No meetings were held this day.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Mountain Home Auto Ranch in the amount of \$271,698.00 for the Fleet department (PO #5573)

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for The End Zone to be used 9/9/23; and Raising Our Bar to be used 9/1/23, 9/3/23, 9/4/23, 9/8/23, 9/9/23, 9/15/23, 9/16/23, 9/17/23, 9/22/23, 9/24/23, 9/29/23, and 9/30/23.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 28, 2023

APPROVED CLAIMS

- The Board has approved claims 597876 to 597926 in the amount of \$505,289.04
- The Board has approved claims 597927 to 597949 in the amount of \$28,726.50

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Hanson Janitorial the amount of \$5,940.00 for the Sheriff's Office (PO #5716)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for Bryan Scott Cunningham, Deputy Sheriff, Patrol; Kylie Thompson, Customer Service Specialist - Booking; Amber Walker, Investigator I; and Teresa Bahr, Housekeeping.

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Good Apple Taphouse to be used 9/30/23; and Capital City Event Center to be used 9/30/23.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A), DISCUSS A PERSONNEL MATTER

Commissioner Van Beek made a motion to go into Executive Session at 3:09 p.m. pursuant to Idaho Code, Section 74-206(1) (a) discuss a personnel matter. The motion was seconded by Commissioner Brooks. A vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks 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, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, Assistant IT Director Eric Jensen, Sheriff Kieran Donahue, Treasurer Tracie Lloyd, Assessor Brian Stender, HR Director Kate Rice, and Candidate S. Higgins. The Executive Session concluded at 3:56 p.m. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn the Executive Session at 3:56 p.m. No decision was called for in open session.

AUGUST 2023 TERM
CALDWELL, IDAHO AUGUST 29, 2023

APPROVED CLAIMS

- The Board has approved claims 597994 to 598040 in the amount of \$73,984.00

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Lauren Nall, Clerk I (Underfill II).

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 9/2/23.

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, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas (left at 9:50 a.m.), Chief Deputy Sheriff Doug Hart (left at 9:50 a.m.), Cpt. Harold Patchett (left at 9:50 a.m.), Cpt. Ray Talbot (left at 9:50 a.m.), Facilities Director Rick Britton, Assistant Director of Juvenile Detention Shawn Anderson (left at 9:50 a.m.), Lt. Travis Engle (arrived at 9:33 a.m. and left at 9:50 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Juvenile Detention Housing Agreements with Payette County, Gem County, Washington County and Baker County, Oregon: These are standard form agreements that are similar to previous years; the only change is to the daily rate. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the juvenile detention housing agreements with Payette County (agreement no. 23-107), Gem County (agreement no. 23-105), Washington County (agreement no. 23-104), Baker County, Oregon (agreement no. 23-106).

Consider Professional Services Agreement with Pine Technologies and Justware License Purchase Agreement with Journal Technologies: Mr. Wesley provided a history of the software technology used by the Prosecutor's Office. The agreement with Journal Technologies will provide the office with 13 licenses at \$3000 each which will carry them thru the next 3 years while the Pine Technologies is continued to be worked thru. Journal Technologies is a standard agreement and Pine Technologies is a service agreement and will operate as an independent contractor. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the professional services agreement with Pine Technologies (agreement no. 23-102).

Consider Amendment No. 4 to Agreement for Inmate Health Care Services with VitalCore Health Strategies, LLC: Cpt. Patchett explained VitalCore is used for healthcare for both adult and juvenile detention centers. This year they have include a 10% increase due to staffing issues. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign amendment no. 4 to the agreement for inmate health care services with VitalCore Health Strategies, LLC (agreement no. 23-109).

Consider Notice of Selection CM/GC for the CCSO Building Construction Project and Consider Notice of Selection A & E for the CCSO Building Construction Project: Following review by each of the committees for the respective projects Okland Construction was chosen as the CM/GC and

Hummel Architects was chosen for the A&E portion of the CCSO Building Construction project. At the request of the Board, Chief Hart spoke about his experience with this selection process. Commissioner Van Beek made a motion to sign the letters notifying each proposer of the selection. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider Second Amendment to Lease Agreement with Caldwell GPRV Partners: This is for rental of the large storage facility. Director Britton said this will likely be the last year of the agreement as next year there should be a county owned storage space. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the second amendment to the lease agreement with Caldwell GPRV Partners (see agreement no. 23-108).

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 9:53 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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley and COO Greg Rast. The Executive Session concluded at 10:37 a.m. with no decision being called for in open session.

The meeting concluded at 10:37 a.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206 (1) (D) AND (E) REGARDING RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND 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 Van Beek made a motion to go into Executive Session at 11:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (e) regarding records exempt from public disclosure and to consider preliminary negotiations involving matters of trade or commerce. 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. Alex Klempel, Deputy P.A. Laura Keys, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, COO Greg Rast, Beth Ineck with BVEP, Robyn Sellers with the City of Nampa. The Executive Session concluded at 11:49 a.m. with no decision being called for in open session.

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Kimberlynn Cowger, Clerk I.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Micromain in the amount of \$4,134.00 for the Facilities department

FY2024 BUDGET HEARING

The Board met today at 5:18 p.m. to conduct the Fiscal Year 2024 Budget Hearing, which was held in the public meeting room of the Administration Building located at 111 11th Avenue North in Caldwell. Tonight's hearing was streamed on YouTube. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Operating Officer Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Mercado, Assessor Brian Stender, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Chief Civil Deputy PA Carl Ericson, PA Office Manager Melinda Longoria, Public Defender Aaron Bazzoli, Juvenile Probation Director Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Assistant Director of Misdemeanor Probation Mary Gomez, Solid Waste Director David Loper, Fair Director Diana Sinner, Fleet Director Mark Tolman, HR Director Kate Rice, Wage and Compensation Analyst Bosco Baldwin, DSD Director Sabrina Minshall, Sheriff's PIO Joe Decker, Parks Director Nicki Schwend, Facilities Director Rick Britton, Juvenile Detention Center Director Sean Brown, Acting TCA Benita Miller, Judge Juneal Kerrick, Ambulance District Director Michael Stowell, County Agent Tasha Howard, JoDee Arnold, Colleen Schaub, Ginny Ernsberger, Larry Stevenson, Hubert Osborn, Keri Smith, Chris Smith, other interested citizens, and Deputy Clerk Monica Reeves.

Chairman Holton opened the hearing and spoke of the mandated services the County has to provide and he also spoke about this year's lengthy budget process which included many hours of meetings. A PowerPoint presentation was given, and highlights included:

- The FY2024 budget schedule.
- Last year's suggested budget had zero taxes levied that would have used 100% fund balance and while great for the taxpayer for one year that is not sustainable going forward for County finances. The Assessor provided several options for the Board last year in reduced property taxes that they could take if they didn't want to take the full amount, and they chose \$40 million which leaves \$14 million in potential levied property taxes on the table. This was approved by a prior Board majority and that left the current Board in a fiscal position to do things that prior Boards have typically not done.

- The \$14 million that was not taken could have been certified as forgone taxes. There is a resolution where we say we could leave the forgone on the table with the right to take it later. That could have been done with the \$14 million last year and it was not. It had been done in the past so that leaves forgone for us to potentially take.
- Last year with the increase in the compensation and the decrease in the \$14 million that was not taken in revenue left a \$25 million hit to the County's fund balance.
- This year when considering funding requests from community groups the criteria the Board looked at is the benefit in tax reduction to taxpayers and what the County was required to provide in services by statute.
- There was a large shift from commercial valuation to residential and there was not a one-to-one benefit of reducing that, a large portion of the reduction got eaten up in the transfer of the lessor value proportionally of commercial compared to the value of the residential. On occupancies that were authorized in the County there was \$1.1 billion worth of value, but just because you get that much growth it is not proportional.
- A review of Canyon County's valuation history of property values. We have \$129% growth in values across the County from \$15.2 billion to \$34.9 billion.

Year-to-Date FY2023 County Revenue:

- Projected revenues are \$107 million when the numbers were pulled
- Actual revenues are just under \$90 million

FY2023 Salaries and Benefits:

- Budgeted is \$86,264,409
- Actual is \$71,132,035

FY2023 Operating Expenses:

- Budgeted was \$46,481,680
- Actual is \$31,565,132

Unspent expenses: we typically see upwards of 13% unspent that's budgeted for that comes back to fund balances. If it comes ends up at the expected amount of \$14.6 million that will help the County make up for the \$14 million that was left on the table for the levied property tax.

The Clerk's suggested budget from August 4, 2023, did not include any compensation or new position. There were 28 position requests across the County. There was nothing to address the 6 positions in law enforcement.

Elections equipment: The Board did not request \$968,000 worth of equipment, that was in the Clerk's requested budget for the Elections Office. The Clerk came back with a suggested budget and that had been removed. Commissioner Brooks had worked with Elections staff to come up with a number to address equipment purchases and the \$40,000 needed to upgrade the software

on the machines. The other \$260,000 is for the Elections Office to purchase machines that will help reduce lines and help with voting. They have secured a second early voting location in Nampa and are hopeful people will participate in early voting.

There was a misrepresentation of the actual budget numbers. In the suggested budget we were short \$15 million in revenue, but \$14 million of that was the \$14 million that was left on the table but that was not explained. This Board has a different take on what the actual revenue coming into the County looks like.

The tentative budget approved for publication is a modest 3% for current employees in compensation. Last year there was an “uproar” over the compensation package and part of that was because prior Boards passed budgets that had a zero to 2% compensation through a highly inflationary and volatile job market. There were high turnover and low retention rates, and it necessitated something being done.

There are several single points of failure. There are multiple County positions where one person is trying to do a particular job but if that person can no longer do the job the County has a big problem. There are 17 positions being approved to help with the single points of failure and get some cross-training.

The Board believes it is important to address the issue of law enforcement expansion within the Sheriff’s Office. We have not added anyone to patrol in the last 20 years.

There has been relatively no increase over the approved FY2023 budget.

<u>FY2023</u>		<u>FY2024 Tentative</u>	
Total Expenses	\$132,746,089	Total Expenses	\$165,988,673
ARPA	<u>\$ 5,180,000</u>	ARPA	\$ 38,106,837
Expenses w/o ARPA	\$127,566,089	Expenses w/o ARPA	\$127,881,836
Total Revenues	\$107,043,972	Total Revenues	\$153,360,431
ARPA	<u>\$ 5,180,000</u>	ARPA	<u>\$ 38,106,837</u>
Revenues w/o ARPA	\$101,863,972	Revenues w/o ARPA	\$115,253,594

ARPA funds will be used for identified priority projects.

Canyon County had approximately \$9 million in forgone because of the new formula (HB 292) and we could get \$2.2 million of the \$9 million that was there. Of the \$2.2 million in forgone we must spend at least \$1.6 million on capital projects.

There was a review of the consolidation of fuel costs and facilities costs.

Sheriff Donahue addressed the public safety priorities:

- Local - Adding Deputy Positions

4 patrol deputies
1 marine deputy

- State and National Awareness

It has been 25 years since they have added patrol officers to the Sheriff's Office. They will be requesting more positions again next year. He reported on increases in growth, response times, and crime rates and the infiltration of the Mexican cartels. Sheriff Donahue thanked the previous Board who helped build the salary compensation plan to help address the retention and the turnover and for the first time in 20 years they are now fully staffed in patrol and dispatch, and nearly fully staffed in the jail. The jail continues to be a problem but they are looking at solution. The legislature needs to look at the local option sales tax, there is a bill that a Canyon County representative has written and it will help solve the issue without burdening the property owners.

Reviewed the FY2024 Capital Projects – Non-ARPA Expenditures

- Allocated forgone capital project expenditures total: \$1,816,262

Reviewed of Park Expansion Opportunities

- Celebration Park Museum air cooling systems: \$44,000
- George Nourse Gun Range safety plan and improvements \$150,000 for phase I
- Pedestrian decking replacement: \$227,500

FY2024 ARPA Expenditures

American Rescue Plan Act federal funds \$38,106,840

- West Valley Humane Society Roof Project
- FY2024 Pod 6 Annual Lease Payment
- New Canyon County Warehouse Project
- New Canyon County Elections Building – (Caldwell, Graye Ln.)
- 6 Canyon County Ambulance Unit Replacements
- Phase 1 – Jail Project – Sheriff's Administration Building

Public comments were as follows:

Larry Stevenson spoke about the need for teamwork to address public safety issues. He said the 2023 total budget was \$132 million, less the ARPA funds of \$5.6 million, and an operating budget of \$126.4 million. The 2024 total budget went to \$166 million, but a lot of that was \$38 million of ARPA funds. It looks like a good operating budget. He said the funding mechanisms are taking the 3% increase and some of the forgone, and both mechanisms unfortunately increase the mil levy rate. The 2023 budget funded \$40 million from property tax. In 2024 it is proposed they pay \$56 million. His taxable property value in 2023 went down by 27% and this could cause another mil levy increase with the smaller tax base. The biggest criticism he hears is that Ada County's tax rate is half of what Canyon County. He would like to see the Board focus on decreasing the mil levy

rate. As of July 31, 2023, the Canyon County investment fund is at \$129 million, and \$47.4 million is available for liquid funds. This could help provide the \$16 million the taxpayers are being asked for.

Ginny Ernsberger expressed concern that the public hasn't been allowed to make comments or concerns during the workshops that were held earlier this year and she asked the Board to take another look at that because that's where citizens need to speak if they have concerns over budget increases. Ms. Ernsberger also referred to two salary resolutions that were recently approved for the Elections Office and questioned what she saw as the doubling of salary rates for two managerial positions. Commissioner Holton said the action was for two existing employees whose wages were brought up to a comparable level through reclassified job titles and responsibilities.

JoDee Arnold commended the Board for the beautiful presentation and voiced her concerns about the voting machines and new software for the Elections Office.

Keri Smith said there have been comments about being in the hole and not recovering without taking forgone taxes but that is not the case. From last year's FY2023 budget, \$66 million was projected as remaining fund balance as of the end of September 2023. In today's presentation it shows \$14 million in projected unspent funds from the FY2023 budget including approximately \$5 million unspent from the planned ARPA funds so with that simple math that would still leave approximately \$75 million, including the landfill, in the general fund as unspent funds and unallocated. Canyon County is not in the hole, and it is now receiving the sunsetted revenue from the Caldwell Urban Renewal which helps balance the budget. She supports a legally adopted and noticed FY2024 budget and she supports the need to move the County forward, however, the actions of the Board have been less than transparent because they hosted very limited public open meetings in the month of August where they clearly worked on and built out this budget. She cited the Idaho Open Meeting Law and statutes 74-201 to 74-208 and spoke of how the Idaho Attorney General has a handbook that provides guidance on the open meeting law and sets the standards for what an open meeting law is. At this point Commissioner Holton asked Ms. Smith to keep her comments to the budget and said he does not need to be tutored with the law, and if she continues to not recognize the Chair she will be removed from the room. She was asked to stick to the budget; budget is not state statute and other categories that don't deal directly to the budget. This is a budget hearing. Ms. Smith said she has a right to speak and the budget must comply with the open meeting law which the Board has violated. Commissioner Holton then asked if there is an officer who is willing to be ready to have Ms. Smith removed for not following the rule. Ms. Smith said she will submit it through a formal action for a violation for the open meeting law as this was not a legal proceeding with the amount of work that was put on the record - hundreds of hours - reviewing and proposing the budget off the record which is not legal. (*Commissioner Brooks indicated that the three minute time limit had expired.*) Ms. Smith said this is a clear example of how the Board does not want a fair open meeting. She said the public noticed that the Board did not host opportunities for the public to have input; it was done behind the scenes using a go-between which is a clear violation of the open meeting law, and they continue to do that.

Colleen Schaub is happy to hear the Sheriff's Office is nearly fully staffed and she supports the request for new positions, and she urged the Board to prioritize the budgeting for more Sheriff's officers. She is tired of vehicles speeding past her house because speeding is a detriment, and the law enforcement officers need to issue tickets to speeders. Commissioner Holton asked her to send in written comments for next year's budget process.

Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to close public testimony.

Commissioner Brooks said he wanted to address the accusation of the open meeting violation. The Board has a chief operating officer that was approved by the prior Board and initially he was opposed to the position, but because of the person who has filled the seat and the efficiency the position provides for Board, other elected offices, and departments under the Board, it's obvious the position is valuable to the Board and the County at large. There was no meeting violation because each individual Commissioner met separately with the chief operating officer to go over a budget that was exported from the budgeting software into an Excel spreadsheet. He personally went through each budget line-by-line. They put in hundreds of hours, but decisions were not made on the budget that would qualify as an open meeting violation. He is comfortable with the tentative budget that was approved a couple weeks ago.

Commissioner Van Beek said this Board is vested in the process of open government, of embracing change and doing a deep dive. The chief operating officer knew the Board needed assistance with the accounting software and so he and his wife built the software into an Excel spreadsheet and ideas were generated on the public record. The alleged allegations are unfounded. Chief Rast is seasoned in many aspects, and he served many years under Lawrence Wasden and he is well versed with open meeting laws and he was a part of the special crimes division and he understands what government is about and she won't have a reputation tarnished by people that may have some bitterness at not having been returned to office. In summary, she supports the budget.

Commissioner Holton said he's heard the personal accounts of peoples experience from last year and he is frustrated with any of that being brought forward tonight. The Board has worked through the budget and it's not an exaggeration to say the Commissioners have spent over 1,000 hours on the budget. He spoke of his 28 years in public service and his knowledge of the open meeting law and he does not see a violation. People are entitled to their opinion but it needs to be done in the right format and at the right venue. Commissioner Holton made a motion to approve the Canyon County Budget for 2024, including the Pest Control District, and the Melba Gopher Control District. The motion was seconded by Commissioner Van Beek who said this is the first budget she has approved and it's because of the due diligence, attention to detail, the vetting, and in fairly compensating our employees. The motion carried unanimously.

Commissioner Brooks made a motion to approve the L-2 form as publicly noticed and pursuant to Idaho Code §63-802(1)(e) Canyon County's fiscal year 2024 property tax levy of \$56,364,662 which includes \$2,202,314 of available property tax increases forgone in prior years. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Holton opened the public hearing on the forgone amount.

Public comments were as follows:

Keri Smith said there is not a need for forgone taxes to be taken. There are still available funds in the general fund and to continue taxing the taxpayer is against what the Commissioners campaigned for, and she thinks they should consider not continuing to tax all citizens to the maximum amount that they have chosen to do.

Commissioner Van Beek said at last year's hearing she had no knowledge of a request for an additional \$2 million in a retention bonus after a 14.5% increase in salaries. It passed by a Board majority, and had that Board majority not passed that we might be in a position where we did not have to. A statement that *"we will not take any new construction and no increase"* makes the headlines but it's a short-lived accolade for people to posture but in the long run with a 130% increase in the market assessed value and the increase in population that posture is simply not a sustainable reality. We are looking at providing mandated services and she was alone in wanting the deep dive but with the previous two Boards that has not been the case. We want to keep the tax burden low, the customer service high and the services provided.

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

Commissioner Holton expressed his opinions on HB 389 and HB 292. Commissioner Brooks made the following motion: As publicly noticed, and pursuant to Idaho Code §63-802(1)(e) Canyon County's fiscal year 2024 property tax levy of \$56,364,662 which includes \$2,202,314 of available property tax increases forgone in prior years, he moves that the Board of County Commissioners approves the collection of the \$2,202,314 for forgone taxes. The motion was seconded by Commissioner Van Beek and carried unanimously. (Resolution Nos. 23-203 and 23-204 are on file with this day's minutes.) Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The hearing concluded at 7:06 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2023 TERM

CALDWELL, IDAHO AUGUST 31, 2023

APPROVED CLAIMS

- The Board has approved claims 598041 to 598087 in the amount of \$87,169.16
- The Board has approved claim 598088 ADV in the amount of \$1,329,800.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI in the amount of \$1,006.17 for the Information Technology Department (PO #5740)

- AVI Systems, Inc., in the amount of \$28,132.90 for the Information Technology Department (PO #5741)
- DataBank IMX in the amount of \$12,906.00 for the Information Technology Department (PO #5742)
- SHI in the amount of \$2,637.22 for the Information Technology Department (PO #5743)

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, Prosecutor Bryan Taylor (left at 9:39 a.m.), Treasurer Tracie Lloyd, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley, Lt. Travis Engle (left at 9:35 a.m.), Cpt. Harold Patchett (left at 9:35 a.m.), Director of Juvenile Detention Sean Brown (left at 9:35 a.m.), Assistant Director of Juvenile Detention Shawn Anderson (left at 9:35 a.m.), Dr. Nikki Zogg with SWDH (left at 9:39 a.m.), Charlene Cariou with SWDH (left at 9:39 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Opening of Proposals received in response to the Canyon County Jail & SWJDC Food and Commissary Services RFP: Proposals were received from the following vendors

- Pinnacle Correctional Services
Received 8/30/23 at 9:30 a.m.
- Summit
Received 8/30/23 at 9:10 a.m.
- Trinity Services Group, Inc.
Received 8/31/23 at 8:44 a.m.

Consider signing Pre-Prosecution Diversion Project Agreement with Southwest District Health: No monies have been received from IDOC but once that happens SWDH will be an independent contractor to help run the program. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the Pre-prosecution Diversion Project agreement with Southwest District Health (see agreement no. 23-110).

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 9:40 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, Treasurer Tracie Lloyd, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley and COO Greg Rast. The Executive Session concluded at 10:23 a.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

DISCUSSION REGARDING CANYON COUNTY PAYROLL

The Board met today at 10:27 a.m. for a discussion regarding Canyon County payroll. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Laura Keys, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Clerk Chris Yamamoto, Controller Zach Wagoner, HR Director Kate Rice, HR Generalist Kendra Elgin, HR Generalist Cindy Lorta, HR Generalist Demi Etheridge, Sr. Administrative Specialist Anna Gray, COO Greg Rast and Deputy Clerk Jenen Ross.

Commissioner Holton opened the meeting by stating that he feels all the onerous for this topic may reside with him as he has conversations with HR and the COO and he is concerned about making sure everyone is protected. He felt there was an issue regarding double checks in the current payroll process. Mr. Rast noted that he spoke to each commissioner individually on the topic and there was support. Yesterday there was communication from Mr. Rast to the Clerk and Controller, there are four points the Board would like to address.

- Issue #1: Tracking of base pay
- Issue #2: Clerk Yamamoto indicated that the memo provided to the Board on August 18th by Director Rice was full of errors to which he would provide clarification on.
- Issue #3: Checks and balance of payroll. The Treasurer validates the aggregate amount but not individual entries.
- Issue #4: Adjustments to salaries without accountability

Commissioner Holton feels this is a change that needs to be negotiated between the two entities that process payroll. Commissioner Brooks stated that this Board sets the policy and this Board makes the change; Commissioner Van Beek said she is in support of Commissioner Brooks' position. Clerk Yamamoto said it makes sense for HR and Audit to get together, agree on the facts and if in they are in agreement move forward with the process. If they are not in agreement then it would be back to the drawing board. He Would like to have the opportunity to see what can be worked out. Commissioners Brooks and Van Beek feel that opportunity has already been given [the timespan between the meeting on August 24th and today] but the Clerk argued that both his Office and the Board's Office had large obligations during that time which did not allow for this topic to be given proper attention.

Commissioner Holton said he doesn't have enough knowledge to move ahead and blindly create policy based off the documents provided. He is aware of many nuances that need to be addressed but needs to be done in a collaborative form. Commissioners Brooks and Van Beek think the specifics can be worked out once direction is given.

Commissioner Holton made a motion that everyone meet again on the 13th, time to be determined, and that the proposal, with the plan of how it would work would be reviewed then with the goal of making this change effective with the first payroll in October. At the request of Commissioner Brooks, he clarified the motion stating that if this is a policy Board then a policy needs to be approved, not a concept. He submits that he would like to have these two groups work with each other and report back to the Board on the 13th. If there are nuances that the Board is unaware of today, although he doesn't expect any, but there could be that the Board needs to be aware of and policy on making this change effective for the first pay period in October.

Commissioner Van Beek offered a counter motion, stating that the Board approve the transfer of payroll to HR with the same stipulation that there is clear direction and an outline of policy. Ada County is already using HR to formulate payroll successfully and so that would be her motion. There continues to be a lack of action and lack of information that would persuade otherwise and she works to not make blind or ignorant decisions. This continued discussion on evaluating and looking at areas to manage change that have greater efficiencies for taxpayer dollars appears to be of significant concern for everyone in the room and she believes that there are good reasons for the Board to look at change. That would be her counter-motion is that we [the Board] authorize the change, the handling of payroll to Human Resources and that they work together and on the 13th they bring that back with a goal of implementing that change October 1st.

Discussion ensued for clarification on each of the motions

At the request of the Board, Mr. Ericson said he feels it is more procedure that policy being discussed. Legal can offer assistance if needed but that they are not the experts on ADP or the processing of payroll. He thinks this is very nuanced and that procedure can be worked out by the affected parties.

Commissioner Van Beek withdrew her motion as it seems there are overlapping talking points that are not clear and she would like additional clarity. Her motion is to provide direction to transfer the oversight of payroll to HR and to have Auditing/Clerk's Office, come back with HR on the 13th and provide a procedural outline for Board review with the intent and an action item to have that be effective October 1st. The motion was seconded by Commissioner Brooks. Commissioner Holton's motion died for lack of second. A vote was taken on the motion which carried unanimously.

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

The meeting concluded at 11:21 a.m. and an audio recording is on file in the Commissioners' Office.

SIGN CLOSING DOCUMENTS FOR PARCEL NO. 30167010A4, AND A PORTION OF PARCEL NO. 30167010A3, LOCATED ON DEER FLAT ROAD

The Board met today at 11:33 a.m. to sign closing documents for Parcel No. 30167010A4, and a portion of Parcel No. 30167010A3, located on Deer Flat Road. The signing took place at Pioneer Title Company in Caldwell and those present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Escrow Officer Kauri Richards, and Deputy Clerk Monica Reeves. The property is being purchased from the Richard E. Allen Family Trust. The signing concluded at 11:40 a.m., and the signed documents are on file with this day's minute entry.

PUBLIC HEARING - SIERRA VISTA PROPERTIES/MINT FARM ESTATES - REZONE AND PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN, CASE NO. RZ2022-0011 & SD2022-0034

The Board met today at 1:35 p.m. for a continued public hearing to consider the request by Sierra Vista Properties, Inc., for a rezone of 90.75 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone. If approved, the request includes a preliminary plat, irrigation, and drainage plan for Mint Farm Estates Subdivision, which contains 39 residential lots. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Zach Wesley, DSD Planning Official Dan Lister, DSD Planner III Deb Root, Derritt Kerner, Ammon Andelin, Andrea Roshalt, Darin Taylor, Shannon Colson, Allen Colson, Daniel Richards, Keri Smith, and Deputy Clerk Monica Reeves. On July 12, 2023, Commissioners Van Beek and Brooks conducted a public hearing on this case and subsequently continued it to August 24, 2023, so that Commissioner Holton could participate in the hearing. On August 24, 2023, a Board quorum was not present, so the hearing was continued to today's date, August 31, 2023. Commissioner Holton said he has listened to the audio of the prior hearing and reviewed the information packet. He said at the previous hearing there was wiggle room to reopen the hearing and since there are people in attendance for today's hearing he believes it is prudent to consider opening the hearing for public testimony again. Deputy PA Zach Wesley said at the previous hearing Commissioners Brooks and Van Beek expressed an interest in having Commissioner Holton participate and they outlined what the process would be for that where he would listen to the audio and review the exhibits so he could participate in the deliberation phase which was the phase they had not completed at that point. They also discussed the potential of having the record reopened if there was any need for additional evidence, for instance, if Commissioner Holton had a question when reviewing the record that wasn't answered he would have the opportunity to ask that question. Mr. Wesley reviewed the process for reopening the record. Commissioner Holton asked staff for an update on exhibits. Planner Debbie Root said they received three late exhibits from the applicant's representative (Exhibit Nos. I3, I4, and I5 at the July 12 hearing), and after the continuance they received two additional letters regarding those exhibits from the public (Exhibit Nos. I6 and I7) for a total of five late exhibits. All three Commissioners were in support of reopening the hearing.

The following people testified in support of the request:

Ammon Andelin stated the process has been frustrating from a developer's standpoint because there have been inconsistencies and delays along the way. They complied with all the agency requirements and once they got in front of the decision-makers they were denied, but they were told what action they could take to gain approval. DSD staff told them to make the corrections and resubmit their application, so they went through the process again only to have more inconsistencies. The County engineer gave a letter of approval and then changed it and said they have to have community well and water. There is a lack of consistency at the Board level, and he sees no legal basis for denial of the application.

Derritt Kerner is the project engineer on this development, and he testified the rezone stands alone as undeniable. The comprehensive plan calls for residential and there are only two ways to comply with that, either through an R-1 option or an R-R option. They were denied the R-1 option and the Board said it would approve an R-R rezone, so they relied upon that guidance and decision and one year later they are back before the Board. The preliminary plat is complementary to an R-R zone; they have jumped through all the hoops, and studied, addressed, and mitigated everything that was asked of them and after two and a half years they are here to obtain their approvals. Additional items to address have come up in recent months, and the process has been long, and they have been patient. The County engineer sent a letter talking about community wells and septic; however, it wasn't in the original application, and it is not supported by code, and it was brought up after the P&Z Commission hearing. With the help of Southwest District Health, they advanced 53 test pits on the site to determine that individual wells and septic are feasible. This is not a nitrate priority area and no advanced septic systems are necessary on the site. They were approved for 53 lots, and they will be in good shape with the lot reduction and the 39 lots.

Attorney Andrea Roshalt testified the applicant is entitled to have their application considered at the time and under the requirements of when they submitted their application and so some additional or new policy change would not affect that application. Concerning the prior application in 2022, the applicant came before the Board for a conditional rezone and preliminary plat, Case Nos. RZ2021-0046, and SD2021-0038 and their applications were denied. Idaho Code, Section 67-6519 talks about zoning changes and says if the zoning change is denied the hearing body is required to specify the actions, if any, the applicant could take to obtain approval. They Board could state there are no actions they could take, but that wasn't what happened. In this case they stated for the rezone that the applicant could consider a rezone or a conditional rezone to an R-R (rural residential) zone with a two-acre average minimum lot size. Or they could wait until development in the area better supports low-density residential uses. The applicant forewent appealing, they forewent their other options statutorily and worked with planning and zoning and said they will do the rezone and jump through the required hoops. The Board determined there are actions and were actions the applicant could take, and the applicant is entitled to rely on that. There does not appear to be a legal basis to deny the application especially

if they have jumped through the hoops the Board required. Following her testimony, Ms. Roshalt responded to questions from the Board.

Commissioner Brooks said this is why he asked at the last hearing if the current Board is beholden to decisions made by a prior Board. Deputy PA Wesley said Idaho Code Section 67-6519 is the general application granting process in the Local Land Use Planning Act, and part 5 of that section states *when a governing board, or planning and zoning commission grants or denies an application it shall specify: a. the ordinance and standards used in evaluating the application; b. the reasons for the approval or denial; and c. the actions, if any, the applicant could take to obtain approval.* Because of the reasons discussed by Commissioner Brooks we have an obligation under LLUPA to give guidance when we deny an application, but things do not stay stagnant. We have Board members that change who may have opinions that are different or see evidence differently, or may interpret the comprehensive plan differently, and so those things can change. The area could change, the comprehensive plan can change. We would not expect a Board that gave those findings 20 years ago to be binding on a Board today and so the County's view is that direction is intended to be general, but it still requires a full application process and convincing the existing Board serving in the quasi-judicial capacity that the application meets all the criteria. We do not believe this is a binding commitment to approve an application under certain conditions or wouldn't assert a thing has occurred for any amount of time. We view it as guidance for the applicant and have said but you still have to go through the process, zoning isn't necessarily permanent, it can always be changed. Commissioner Holton asked staff is there a material change in the application from two years ago and the application today? Are they the same preliminary plat and the same number of lots? Planning Official Lister said their original application was an R-1 zone with a one-acre average minimum lot size, and this application is a two-acre average minimum lot size. Commissioner Holton said he finds that frustrating.

Andrea Roshalt said the change to the two-acre minimum was part of the requirement the Board requested and stated in their order consider a conditional rezone and two-acre average minimum lot size so that change had to be made pursuant to this Board. They have made changes pursuant to the prior Board's request.

Commissioner Van Beek asked questions for staff specific to Exhibit E within the staff report regarding what the applicant could do to gain approval. She also had questions for legal regarding the way we look at the school district and in providing essential services to the area in the decision-making process.

Darin Taylor testified that Exhibit 5E shows 27 platted subdivisions within one mile of the subject property, and several of them have been approved by this Board. Since receiving the letter from the County Engineer about central water and sewer systems he met with Anthony Lee at SWDH and showed him the letter. He summarized Mr. Lee's comments as follows: The separation distances between septic systems and individual wells are effective in preventing well water interaction with subsurface sewage disposal. He could not think of an instance where they do interact, he could not think of anything specific that a central wastewater system would provide that individual septic systems in good working order do not provide. Mr. Lee did not affirm the

County engineer's statement that public health and our groundwater resources would be best protected if development was also served by a central wastewater system. Mr. Taylor met with Dan Smith at DEQ who affirmed water quality standards pertaining to individual wells are being enforced. Regular water sampling and testing is not required of individual domestic wells or private drinking water systems, and he affirmed that the central water systems have regular sampling and testing requirements and continually verify water quality over time, but sampling and testing do not improve water quality. Central wastewater systems require almost daily routine sampling testing, lower allowed contaminant levels, and more stringent disposal requirements and a licensed operator and backup operator which are in short supply with aging current licensed operators. He confirmed individual wells and septic systems have planning, engineering, construction, and testing just like central wastewater systems, just without DEQ's review of each system's construction plans. He said Mr. Smith would not say individual wells and septic systems are not effective or do not work, likewise he would not say a central water system or wastewater system for 39 average two-acre lots would operate better or be more within water quality standards than individual wells and septic systems but that the regular testing and results reported to DEQ would verify it. Mr. Taylor offered this as a potential condition of approval: the applicant will volunteer to a condition to drill at least 200 feet down and to seal individual wells down to the bottom of the casing where the screen or filter attach. Most of the contamination occurs above 200 feet.

Commissioner Van Beek and Commissioner Holton had questions for staff regarding Exhibits 5D and 5E, regarding approved developments in the areas. Discussion ensued. The Board also had follow-up questions for Mr. Taylor.

The following people testified in opposition to the request:

Daniel Richards testified about his concerns regarding wells, septic systems, water depletion, school security systems and overcrowding issues. The schools are using portable classrooms and he questioned when the housing development is going to stop. He wants the small town feeling of this area to be protected.

Shannon Colson testified that the P&Z Commission unanimously denied this request in January based in good share on a letter from the Middleton school superintendent which stated the school was overcapacity by 123%. According to Ms. Colson, the entire 4th and 5th grade classrooms are outside of the building, and she said they cannot keep adding portables and say the issue has been mitigated. It's a band-aid, it does not solve the problem. This development will add to the overcrowding issue at the schools.

Allen Colson testified that the additional exhibits that were submitted do not show any extra mitigation by the applicant. They are examples of what could be done, but not by the applicant. One talked about an article from Vallivue and how a third party helped them; that's Vallivue School District, not Middleton, and there is nothing from the applicant saying it has been mitigated. The applicant has not made a commitment to the schools. Traffic should be addressed at the intersection of Purple Sage and Lansing where there have been three recent fatalities. The

applicant talked about a bus stop for their development to mitigate some of the school and traffic issues, but that does not address the other kids who are standing on those roads. Mr. Colson said the Willowbrook Development was annexed into Star, but no Canyon County property was annexed at that time so at this point it's at a standstill. He said the Board's FCOs for the 2022 case referred to a minimum of two acres, not an average of two acres.

Planner Deb Root said there are several lots that are under two acres. Planning Official Lister addressed the applicant's frustrations that were mentioned earlier. Staff worked with the applicant and initially recommended approval of the application, but the evidence that came in through testimony and letters swayed the P&Z Commission to not follow staff's recommendation. The findings were based on services and the cumulative impact of the development to the area of the intersection of Lansing and Purple Sage. It was the same information about lots, and what was cumulatively approved in the area without looking at the traffic or schools at that time. There was also a review of the recent decisions and what was shown was over 200 new lots had been added through rezone or platting that had not addressed the cumulative impacts. There is no traffic study. There is mitigation but the timing was unclear as to when the development comes in will it really develop at the same time the improvements will be done? The school district submitted a letter saying it is not ready for this type of development. The P&Z Commission said those things need to be addressed before it can make the findings. Based on the review, staff does not see a change in the findings. Regarding the engineer's comments, they are recommendations. The plat does meet requirements for well and septic but the engineer is providing information about the benefits to a community system.

Rebuttal testimony was offered by Darin Taylor. The subject property is adjacent to the Middleton impact area along the entire south boundary, and there are 9 lots less than 2 acres in the proposed subdivision. The proposed zoning is R-R and Canyon County Code allows for an average lot size of two acres in the R-R zone. The school district added portables that relieved the overcapacity issue and increased capacity (Exhibit No. 14). Technically the portables occupied a lawn area, but the playground area was not functionally diminished. Exhibit No. 13 is a letter from the building contractors association that helped the Vallivue School District gain approval by increasing awareness of the election and increasing the encouragement to vote. The applicant has volunteered to use that same group and try to effect the same change through Middleton. They met with Superintendent Gee and offered to buy more portables, but he said he doesn't need more portables; he said he would like help getting a school bond passed which is why the applicant brought up the letter. Traffic is being improved along State Hwy 44. They are adding lanes and lane width to I-84 and working their way west, but right now they are in downtown Star. There has been a lot to discussion of the intersection of Purple Sage and Lansing; the accident reports are driver caused (running stop signs, or inattentive drivers and misjudging time). The plat complies with the code, and the zoning matches the area and the applicant has done everything they can to conform to agency requests. Following his testimony, Mr. Taylor responded to questions from the Board.

Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. The Board's deliberation was as follows:

Commissioner Van Beek said we are operating under the 2020 comprehensive plan and with the requested zone change this indicates the proposed zoning map is generally consistent with the 2020 comprehensive plan. It appears to be an area of transition, there is still farming out there, but it does appear to be changing. Commissioner Brooks agrees that it is an area in transition. Commissioner Van Beek said there is legal access, and she acknowledged the traffic impact study, but she does not know how to interpret the findings submitted by CR Engineering. The conclusions states Canyon Highway District finds that traffic impacts can be addressed by requiring right-of-way dedications, frontage improvements, internal road improvements and development impact fees, cumulative impacts to the existing road systems are not adequately addressed. She travels the area frequently and what's difficult is the amount on growth in the area, particularly along Hwy. 44 where there are death traps where dirt roads come onto a 55-mph highway. To say the road systems are not adequately addressed and then to not require a traffic study is transferring the responsibility to people that may not have as much information. Commissioner Holton finds the challenge of this application is the inability to impose conditions, and the changes in administrative lot splits in and of themselves were very difficult to be measurable and this development is measurable. There will be 39 improved lots and the resulting traffic, and the cumulative effect troubles him. There is not much connectivity going north so the majority of the traffic is going south but they will look for the fastest way to go east or west to go south and so all those connector roads will be impacted and he did not receive any specific testimony that they acknowledge it will cause an impact or that they will mitigate the impacts. Commissioner Van Beek said the intersection of the development properties is a safety issue and there are amenities on the buildout of a community that takes long-term planning, and it relates to the issue of timing. Timing should trigger some inclusion so that there is an interface. Commissioner Brooks had questions for staff regarding the number of parcels that have been approved in the area. Planning Official Lister said within a one-mile radius, and it was a mix between rezones, preliminary plats, and one CUP for a specialty events facility and what came out of it was a locked down number of lots or what could be allowed through that rezone, and it came up to 215. Commissioner Van Beek said the County and the city are interested in quality development and she questions how we regulate that because if the city goes out far enough it's not even in our control and this doesn't take into consideration the development. There is additional largescale development planned for Middleton across the river that will have a significant impact too, but that's within the city. If this were to be included in the city and it was annexed it would not have 2-acre lots, it would be a much higher density. She is not convinced that the community well and septic are better than individual wells, particularly when there is a condition to seal the well casing. She asked if the Board could attach a development agreement to the application and provide conditions through that vehicle, and that if the Board were to make positive findings and overturn the P&Z Commission's decision would it go to a third hearing? Deputy PA Wesley said if the Board were to require conditions through a development agreement it would have to go back through the P&Z Commission because they haven't heard those terms yet. There have been other times where the Board has put a development agreement in place between the approval hearings. Yes, the Board could ask for a development agreement for mitigation measures; it would require an additional hearing, but it would also require the applicant to be willing to do that. If the applicant is asking for a straight rezone with no conditions and all the criteria cannot be met without mitigation then you are left without any tools. If the Board approves this a second de novo hearing will be required

because it would be overturning the P&Z Commission's decision. Commissioner Van Beek said there have been some changes in the area but the criteria that was lined out, on the FCO's for SD2021-0038, they could potentially receive approval of the zoning map amendment, but on the timing the property is not located within an area of city impact. There was never an approval by the P&Z Commission or the Board that guaranteed approval. The timing criteria for gaining approval never materialized because it was not included, but had it been included then it would have entirely changed the nature and character of the area because it would be a city development project. She is not sure that was fair. Commissioner Holton said the original application is not the same as the application they are focusing on today. There is a cumulative impact on the existing road system that is not adequately addressed. The proposed zoning map amendment will negatively affect the character of the area because this is 90 acres that will suddenly go to a 2-acre development and there is nothing that big in the area. The request will change the character of the area. Commissioner Van Beek doesn't disagree but said if you look at the number of lots and the average lot size, some are down to one acre and it's a mix of everything out there. Commissioner Brooks said with everything that's been approved he could see where it would not negatively affect the area, but because it's not a conditional rezone the Board cannot impose conditions. The road situation is going to be a problem with what has already been approved and with what would be added to it. Commissioner Van Beek asked if a development agreement can be legally binding as a condition? Deputy PA Wesley said it's not a conditional rezone; the Board would be saying it could only approve it as a conditional rezone and then whether it puts that as what the applicant could do to gain approval after a denial and send them back to the P&Z Commission to start the process over again, or if you negotiate conditions and see if the applicant is willing to go along with a development agreement today then we could put that together for a second hearing. Commissioner Brooks said he has no intention of negotiating. Commissioner Van Beek said she believes that adequate measures have not been taken or included. This is one of the fastest growing areas in Canyon County and that's going to be tough particularly given that as we try to improve our processes and what that interface looks like between the County and city development that would be a problem. Regarding impacts to the schools, she said there are pods, but that it is problematic. Commissioner Brooks said the schools are already full and there are other lots that have not been built out. Commissioner Van Beek said there is a community that has found a way to work with developers, and a quality builder increases the desirability of that area for growth and development by working with them to gain financial momentum on getting those services in place that are essential. We want safe and well-developed communities. The area is in transition. The issue of cumulative effect is critical. Commissioner Holton said he is not finding adequate new testimony to substantiate a different position. Commissioner Brooks made a motion to deny Case No. RZ2022-0011, a request for a zoning map amendment from "A" to "R-R" for parcel no. R37496. The motion was seconded by Commissioner Van Beek. Commissioner Holton asked if the Board agrees that pursuant to Idaho Code, Section 67-6519 that the following actions could be taken to possibly obtain approval: 1. Reapply for a zoning map amendment or conditional rezone once the following has occurred:

- a. Middleton School District capacity impacts are adequately addressed or minimized through Middleton School District-approved mitigation measures.

- b. Site access/Purple Sage Road and Lansing Lane/SH-44 improvements are constructed and completed to adequately address cumulative impacts.

Commissioner Brooks said for 1. a. that would more than likely require action outside of the applicant's doing, and he questioned how to have them adequately address that unless they are building a school themselves. Commissioner Van Beek said her second would include those two actions. The motion carried unanimously. Commissioner Holton said Finding No. 14 for Case No. SD2022-0034 must be amended to include today's hearing date. He also read Finding No. 15 into the record. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to deny Case No. SD2022-0034, the preliminary plat for Mint Farm Estates Subdivision. Commissioner Holton referred to the language in the FCO's that advises what actions may be taken to obtain approval, which is to reapply when a zoning map amendment or conditional rezone has been approved. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The hearing concluded at 3:37 p.m. An audio recording is on file in the Commissioners' Office.

There were no Board of Equalization matters that came before the Board this month.

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 1, 2023

APPROVED CLAIMS

- The Board has approved the August Elections claim in the amount of \$14,358.00
- The Board has approved the August jury claim in the amount of \$5,617.45
- The Board has approved claims 598089 to 598129 in the amount of \$90,653.55

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$9,229.44 for the Information Technology Department (PO #5773)
- Dell in the amount of \$11,891.04 for the Information Technology Department (PO #5772)
- Mountain Home Auto Ranch in the amount of \$36,044.00 for the Fleet Department (PO #5762)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change forms for:

- Dolores Clampitt, Victim/Witness Services Coordinator
- Kelly Nicole Prakash, Customer Service Specialist – Records
- Adriana Rosales, Comm. Officer I

- Joshua Hunsucker, Deputy Sheriff - Inmate Control
- Anita Hollis, Senior Admin Specialist
- Ashley Perez-Alvarez, Administrative Specialist
- John Stanciu, P/T Interpretive Specialist
- Vincente Olvera, Juvenile Detention Officer (FTO)
- Santiago Ramos, Juvenile Detention Officer (FTO)

APPROVED FLEET VEHICLE AUTHORIZATION FORMS

The Board has approved fleet vehicle authorization forms for Daniel Pecunia, Landfill Operation Manager; and Michelle-Rene' Kilgore Marmolejo, Criminalist.

CONSIDER NOTICES OF LIEN FOR CODE ENFORCEMENT ABATEMENTS

The Board met today at 9:30 a.m. to consider notices of lien for code enforcement abatements. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Code Enforcement Officer Eric Arthur, DSD Office Manager Jennifer Almeida, and Deputy Clerk Monica Reeves. Code enforcement has completed abatements for the following properties:

15938 Sunbeam Street, Caldwell - The abatement proceedings were completed on August 30, 2023 and the property owner was presented with the required paperwork and advised of the costs involved, but they did not have funds available so the County will pay the contractor \$9,750. Mr. Arthur is requesting a lien be placed on the property, and if the property owner pays the bill within 30 days the lien will be released.

5319 Lake Avenue, Caldwell - The abatement was conducted on August 31, 2023. The property was abated last year and he anticipates the property owner will not pay this so the lien will need to be record as it's still riding from last year and property taxes are three years in areas. The County will pay the contractor \$4,850.

Following comments, Commissioner Van Beek made a motion to approve the notice of lien for property located at 15938 Sunbeam in Caldwell, in the amount of \$9,750, and a notice of lien for property located at 5319 Lake Avenue in the amount of \$4,850 as presented by Officer Arthur. The motion was seconded by Commissioner Brooks and carried unanimously. The recorded liens are on file with this day's minute entry. The meeting concluded at 9:34 a.m. An audio recording is on file in the Commissioners' Office.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Robert Thomas Curl, Deputy Public Defender II
- Diana Dyas, PT Customer Service Specialist
- Rachel Holeman, PT Customer Service Specialist

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Last Chance Saloon to be used 9/9/23 and 10/7/23.

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

The Board met today 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. Carl Ericson, Deputy P.A. Oscar Klaas (left at 9:42 a.m.), Deputy P.A. Zach Wesley (arrived at 9:34 a.m. and left at 9:42 a.m.), Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Facilities Director Rick Britton (left at 9:42 a.m.), Cpt. Chuck Gentry (left at 9:39 a.m.), HR Director Kate Rice (arrived at 9:34 a.m. and left at 9:42 a.m.), Controller Zach Wagoner (left at 9:42 a.m.), Bruce Castleton (left at 9:46 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Guaranteed Maximum Price Amendment to Construction Agreement with Beniton Construction for Warehouse / Animal Shelter Project: The Guaranteed Maximum Price is \$3.249M based on the bids received and information known at this time but is still subject to change orders. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the Guaranteed Maximum Price amendment to construction agreement with Beniton Construction for warehouse/animal shelter project (see agreement no. 23-111).

Consider Lease Agreement with Norman Family Trust: This is the rental property used for CCNU and Metro unit which has been leased for many years. There is no increase to the contract this year. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the lease agreement with Norman Family Trust (see agreement no. 23-112).

Consider Addendum to Employee Service Agreement with JobScore: Director Rice explained this program is used for external applicant tracking and they are exploring being able to use it for onboarding of new employees. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the addendum to employee service agreement with JobScore (see agreement no. 23-113).

Consider Signing Quitclaim Deed for 16755 Deer Flat Road: Mr. Carlson explained this quitclaim deed is in regard to the mineral rights. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the quitclaim deed.

Consider resolution granting an alcoholic beverage license for Red Robin Gourmet Burgers & Brews (Change in Application): Commissioner Brooks said he has reviewed the application and it is just for a change in officers. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting the alcoholic beverage license for Red Robin Gourmet Burgers & Brews (see resolution no. 23-205).

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 9:46 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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley (joined at 9:54 a.m.), Bruce Castleton (participated from 9:46 a.m. to 9:53 a.m.) and COO Greg Rast. The Executive Session concluded at 11:17 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 11:17 a.m. to consider matters related to medical indigency. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast and Deputy Clerk Jenen Ross. Due to the legal staff update meeting running long Commissioner Van Beek made a motion to continue medical indigency to September 6, 2023 at 2:00 p.m. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 11:18 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER FY2024 INDIGENT DEFENSE FINANCIAL ASSISTANCE AWARD AGREEMENT

The Board met today at 11:18 a.m. to consider the FY2024 Indigent Defense Financial Assistant Award agreement. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Public Defender Aaron Bazzoli, COO Greg Rast and Deputy Clerk Jenen Ross. In an effort to contact Chief Bazzoli the Board recessed from 11:20 a.m. to 11:24 a.m. Once back on the record

Chief Bazzoli explained this application was brought before the Board in May. This will be the final year of PDC grant funding as public defense moves to a state-run system. The grant consists of two parts – the 15% based on what the county has expended in public defense funds over the last fiscal year and the other portion is the workload compliance. Commissioner Van Beek made a motion to sign the FY2024 Indigent Defense Financial Assistant Award agreement. The motion was seconded by Commissioner Brooks and carried unanimously (see agreement no. 23-114).

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

The meeting concluded at 11:29 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY LEAVITT & ASSOCIATES ENGINEERS, INC. FOR A CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT AND PRELIMINARY PLAT (INCLUDING IRRIGATION, DRAINAGE, & GRADING) FOR DEMBI ESTATES SUBDIVISION, CR2021-0006 AND SD2021-0032

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request Costea Dembi for a conditional rezone with development agreement, and a preliminary plat (including Irrigation, Drainage, & Grading) for Dembi Estates Subdivision, Case Nos. CR2021-0006 and SD2021-0032. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planner III Michelle Barron, David Ferdinand, Dan Lardie, Costea Dembi, Mario Dembi, Elizabeth Dembi, Ethan Dembi, Greg Harness, and Deputy Clerk Monica Reeves.

DSD Planner III Michelle Barron gave the oral staff report. The applicants, David Ferdinand and Dan Lardie, representing Costea Dembi are requesting a conditional rezone from the agricultural zone to the CR-rural residential zone for approximately 10.82 acres of a 23.38-acre parcel. The remaining 12.56 acres would remain in the agricultural zone. The request includes a development agreement to limit the rezone to 10.82 acres to be zoned rural residential. The P&Z Commission had previously seen this application when the request was for a single-family residential rezone with 16 residential lots and it recommended denial to the Board for that plan. The applicant and landowner opted to change the application and was scheduled to move forward with the Board. It was then determined that the application had a significant change and needed to be heard by the P&Z Commission for the amended application that is presented today. The applicant has submitted a variance request to DSD to reduce setback of the front of the property to the existing home. On May 18, 2023, the P&Z Commission recommended denial of the conditional rezone and the subdivision based on Findings 1, 2, 3, 4, & 8 not being supported. The proposed conditional rezone aligns with three goals and three policies of the 2020 comprehensive plan, and it does not align with 11 goals and several policies of the 2020 comprehensive plan. The subject property is located off Lakeshore Drive with the east boundary running along South Powerline Road in Nampa.

The applicant plans to continue farming over half of the parcel. The property is south of the Nampa Area of City Impact and is surrounded by crop lands and a few scattered homesites, and to the north within there are several land uses with rural residential being the predominate zone and some single-family residential. There are commercial and industrial zoned properties to the west. There are 30 subdivisions in the area with an average lot size of 1.31 acres which includes a portion of the area of city impact. Within one mile of the site there have been 17 land use cases since 2016; 14 were approved and 3 were denied. In 2013 East Lakeshore Subdivision was approved and it is located northwest of the site, is zoned rural residential and consists of 4 residential lots and 2 non-buildable lots in the impact area. In 2016, Phase 2 of Table Meadows Subdivision was approved, and it is located north of the site and zoned R-1 and is connected to city water and sewer. In 2021 a conditional rezone from agriculture to single-family residential was approved with a concept plan of 30 residential lots and with a requirement to connect to city services. On the preliminary plat they plan to have 10.82 acres zoned CR-rural residential, and there are 4 residential lots, one with an existing homesite, with the average lot size of 2 acres and a private road on its own lot. Individual domestic wells and septic systems will be used. The large portion will remain as agriculture. Comments were received from agencies and property owners. Ms. Barron reviewed the 8 questions and the standards of review the Board must review. Ms. Barron said David Ferdinand submitted materials that were read into evidence, and they were not included in the Board's packet of information but there are copies available today. He also provided a copy of his presentation that he will be giving today. Following her report, Ms. Barron responded to questions from the Board regarding the road and the culvert.

The following people testified in support of the request:

David Ferdinand testified there were a lot of questions that came up during the P&Z Commission hearing which have to do with the letter from Keller Associates the day of the hearing and it was because they were doing the CR-rural residential rezone and the preliminary plat at the same time. The Dembi family met with DSD staff after the original hearing on May 18, 2022, and a lot has happened since then. The Dembis asked what to do to utilize a portion of the pasture and corrals to build homes for their children so they can remain on the farm. He said a former DSD employee, Elizabeth Allen, met with Dan Lardie, the applicant's representative, to gain a concept that would meet staff's approval and they were told to request a 4-lot subdivision instead of 16 lots, and each lot would be designated for a home for family members currently living in the homesite on an 8-acre parcel. Each family member would continue to farm a portion of their parcel to maintain the agricultural feel of the area, and they would agree to waive the secondary residences as allowed by code. They had a neighborhood meeting on August of 2022. To gain three additional residences, the Dembi Family was told to apply for a conditional rezone to rural residential to convert 8.9 acres of the 23.37 acres for three future residences and access. The highway district requires the dedication of 40 feet of public right-of-way. The request today is to use 10.43 acres for future homes for the family and retain the remaining 13 acres in an agricultural lot for crops. The updated plan also includes one common road lot, and it sounds like it's been changed to an easement that will be in record. Access shall be permitted onto Lakeshore Drive via the private road approved through the variance process. The additional three lots would be allowed with extended treatment systems which can reduce nitrate levels. Test holes were excavated on April

5, 2023, and no groundwater was encountered at 10 ½ feet. Pressurized irrigation will be supplied via an existing irrigation well and pump. The existing concrete ditch will be tiled to carry surface water to downstream users. The request maintains a balance between residential growth and agriculture that protects the rural character, and it achieves a land use balance which recognizes that existing agricultural uses and non-agricultural development. The subject parcel is designated as agriculture in the 2020 comprehensive, and two additional homes are allowed to be built on it. There are multiple homesites that exist near this parcel. The proposed conditional rezone will not impact essential services. The Nampa School District submitted an updated letter stating they do not have a problem with overcrowding. The Nampa Highway District has approved the variance of the setback. The existing home will not meet County setbacks. The right-of-way is dedicated to the highway district and a variance application has been submitted by the applicant to DSD for a variance of the setback of 6.6 feet.

DSD Director Minshall said because the P&Z Commission recommended denial, the Board does not have proposed conditions to consider but if it chooses to reverse the decision a second hearing will be required and staff could bring proposed conditions.

Dan Lardie with Leavitt & Associates testified they revised the preliminary plat to show the right-of-way as dedicated, not as a lot; the holdover note was removed; the radii was clarified; the variance was approved; the preliminary plat has been signed; the bearing distance has been added; and a found pin symbol in the southwest corner was identified. The property totals 23.37 acres and the applicant is seeking three new homesites, and more than half of the property will be farmed. There are cluster homes in the area, some of them are north of the Nampa impact area which is Lakeshore Drive. There are 10 homesites within .3 miles of the site to the west; to the south is the Dembi home and a neighbor's home; within a mile to the south there are 7 homesites clustered in two's; and further south is the Golden Hill's Subdivision which was taken out of agriculture a few years ago. The existing home is 14 feet from the to-be-dedicated right-of-way which falls within the 33% purview which will allow for DSD Director approval. Following his testimony, Mr. Lardie responded to questions from the Board. Additionally, there were follow-up questions for staff.

Mario Dembi read the letter of intent from his father, Costea Dembi, who purchased the land years ago so his five children could have land to build their future homes if they decide to.

Costea Dembi testified that planning and zoning suggested he change his proposal to a rural residential zone with a two-acre average, stating it's a plan that could be approved. Staffing has changed and so has the support. They dug test holes, met with the highway district, and have done everything he was asked to do. There will not be anyone living on the property except for family members; his children will raise their children on the property, and they will use the remaining land for pasture or for alfalfa. On the south side of his property are clusters of homes, and all he is doing is trying to match the neighborhood.

The following people testified in opposition to the request:

Greg Harness testified he has lived at the corner of Lakeshore and South Powerline since 1999 and believes there is no reason this land should be removed from agriculture because it fits with the comprehensive plan, and it should remain in agriculture. The rezone is not more appropriate than the current zoning. He has concerns regarding ground water, wells, the high arsenic levels in the ground water, irrigation, and traffic, and even though the applicant has said his family members will live on the property there is no guarantee the lots will remain with family members and that puts a lot of insecurity for the neighbors. The land has been farmed for decades and it should continue to be farmed. He is opposed to the rezone and the plat.

Rebuttal testimony was offered by David Ferdinand who said the Harness parcel consists of 1.5 acres, and the requested parcels are 2.03 acres. This is a transition area and it is cut off by the New York canal. Matthew Clements farms in the area and he supports the rezone. The City of Nampa wanted more density across the road which is why they wanted to deny it because they want larger density so they can provide more services. The Nampa Highway District does not require a traffic impact study because they do not believe this project will make an impact. The project will have a road that will make it much easier to get people in and out of the property. The highway district wanted to use Lakeshore and not Powerline because it is a local road and Powerline is a much faster connector. The existing home is allowed to remain with reduced setbacks from newly dedicated public right-of-way. The applicant will waive the right to secondary residences as allowed by code. There are two houses on the corner and if they both wanted to put secondary homes there would be four houses on the corner, but it would not have the same quality as this proposal. They will restrict access to only Lakeshore Drive to include a private road access, a single access to 12.5 acres of the ag ground is on the very end of the property. A nitrate reducing system will be redesigned and constructed as required by Southwest District Health. A level one nutrient pathogen study was conducted on May 18, 2021 for only proposed three new lots and they are saying that due to the evaluation results in the original NP study they recommend extended treatment capable of reducing nitrate levels to 16 milligrams or less, as a condition of approval. The Board had follow-up questions regarding the proximity to city services.

Planner Barron clarified that some of the comments during testimony: the updated letter from the Nampa School District has been added to the exhibits; the variance that was approved was through the highway district; and the variance that was submitted to DSD has not been approved yet.

Commissioner Van Beek had questions for staff regarding the building permit for the existing home. Director Minshall addressed the following exhibits:

- Exhibit H are emails from Mr. Clements, and Mr. and Mrs. O'Brien that were part of the P&Z Commission minutes.
- Exhibit I is the written testimony read by David Ferdinand
- Exhibit J is the applicant's PowerPoint

Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to enter late exhibits H, I, and J into the record. Upon the motion of

Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Deliberation was as follows:

Commissioner Van Beek does not find sufficient evidence to overcome what's been outlined by the P&Z Commission and said if the Board overturned the decision it would be the only rural residential zone outside the impact area and it would set precedent and it would be spot zoning. There is no guarantee, there is no way for the Board to condition an application that would state that only family members would own this property and not sell it. She referenced the other properties in the area and said the request is not consistent. Commissioner Brooks said whether or not the applicant sells the property is outside the Board's purview. He is fine with asking staff to find findings that fit finding no. 1. Commissioner Van Beek said the conditional rezone is not more appropriate than the current zoning. Commissioner Holton agrees with Commissioner Van Beek. Commissioner Van Beek disagrees with Mr. Ferdinand's position that this is a transition area. This is an area of special consideration because of its unique features and proximity to one of the largest recreational areas in Canyon County. The City of Nampa says it will block future plans for connectivity when they go to develop this ground. Commissioner Brooks said eventually this area will be R-1 like the City of Nampa wants. Commissioner Holton said this feels like a spot zone and he does not believe a rezone is more appropriate than the current zoning designation. Commissioner Brooks said the request will not negatively affect the character of the area when you have one acre or less lots one mile away and residential areas are nearby. Commissioner Holton said the high-density lots have sewer and water which is a total game changer in land development. Adequate services will be provided, and legal access exists. Commissioner Van Beek said legal access exists because of the variance, if approved and the if the County approves a variance. She does not want traffic 14 feet from a house. Commissioner Brooks concurs that legal access exists. Commissioner Holton said there were no demonstrable traffic impacts that were brought to the Board's attention. Commissioner Van Beek said if this is approved it would require a variance from the County on the private road and so when the rest of the 12 acres develop we'll have a different problem. Director Minshall said the variance is regarding the setbacks not the private road. If approved, terms will need to be added. Commissioner Holton said he did not discern that there were any measurable impacts on services. Commissioner Brooks concurs. Commissioner Van Beek said the Board has to be able to make positive findings on each of the criteria that have been outlined and if we have one that we are unable to find a positive finding on it trips the denial, and the order appears to be what was recommended by staff and the P&Z Commission. Commissioner Brooks said this is a transition area, but his hands are tied from a set of criteria that says the Board cannot approve something he would like to approve. He would like to see 2-acre lots there rather than the one-half acre or less lots that are coming, but his hands are tied. Eventually the City of Nampa is going to change its mind and they are going to want to draw this in and it will go a different way. Commissioner Holton said the 2030 comprehensive plan is the greatest taking of private lands and this is what the Board has come up against with this land application. He agrees with Commissioner Brooks but said there has to be stability with land use applications and if you have a rule you have to stay with it or have the public come in and leverage to get the standards or the rules changed. It is better for land use decisions to be looked at, see what the rules are and calculate what the Board has to operate with. Commissioner Van Beek wants to evaluate this area, it's a special area and it's going to take collaborative planning between

the City of Nampa and the County and until we have support to examine this area with some potential overlays to protect and mitigate it will be very difficult. Director Minshall said this area was agriculture in the 2020 comprehensive plan and in the 2030 comprehensive plan, and if the Board wanted to approve an application such as this within our current ordinance it would be with the idea that it would be conditioned. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to deny Case No. CR2021-0006 for a conditional rezone from an agricultural zone to a CR-rural residential zone. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to deny Case No. SD2021-0032, the preliminary plat for Dembi Estates Subdivision. The hearing concluded at 3:20 p.m. An audio recording is on file in the Commissioners' Office.

DISCUSSION AND POTENTIAL ACTION ITEM REGARDING ALLEGED VIOLATION OF OPEN MEETING LAW IN RELATION TO FY2024 BUDGET

The Board met today at 3:30 p.m. for a discussion and potential action item regarding the alleged violation of the open meeting law in relation to the FY2024 budget. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Chief Civil Deputy Carl Ericson, Deputy PA Alex Klempel, Deputy PA Zach Wesley, members of the media, and Deputy Clerk Monica Reeves. A request was made to go into Executive Session as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 3:01 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure, and to communicate with the legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks and carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Chief Civil Deputy Carl Ericson, Deputy PA Alex Klempel, and Deputy PA Zach Wesley. The Executive Session concluded at 3:43 p.m. with no decisions being made and no business brought forward. There was a possible failure of the audio recording at the beginning of this meeting at 3:00 p.m., so Deputy PA Klempel made a record and said prior to going into Executive Session, Commissioner Van Beek made a motion to go into Executive Session under subsections (d), records exempt, and (f) to communicate with legal counsel. The motion was seconded by Commissioner Brooks and the Board voted unanimously to go into Executive Session. The action was done on the open record but it's possible it was not audio recorded so that is why Deputy PA Klempel made a record.

The open meeting began at 3:44 p.m. with Commissioner Holton reading the following statement from the Board into the record:

“Recently, there have been public and social media comments that the Board of County Commissioners allegedly violated the Open Meetings Act in the process leading up to the adoption of the Fiscal Year 2024 tentative budget on August 17th and the final budget on August 30th. Although we as a Board do not agree with the allegations, in order to move forward, the Board acknowledges the alleged violations. With that acknowledgment, we believe that completes the cure for any violation. Prior to any final decisions related to the tentative or final budget, the following occurred:

- As presented in the public meeting for adoption of the budget on August 30th, the Board had meetings related to the budget that were open to the public on 21 different dates including 54 budget workshops.
- And each commissioner had informal discussions with the Chief Operating Officer during this time period that were not in open meeting, but the substance of those discussions were ultimately put on the record at a budget workshop or at the tentative budget meetings on August 15th or 17th.

Therefore, the Board’s final action of adopting the tentative budget on August 17th and the final budget on August 30th were based solely on information in the public record with disclosure of all relevant information to the public so the public had full opportunity to comment on the final budget hearing on August 30th.

Although it’s been alleged that deliberations were conducted at a meeting violative of the Open Meetings Act, no firm or final decision was rendered upon the questions then discussed, so any alleged impropriety of those meetings did not taint the final actions subsequently taken upon questions consistently considered at subsequent meetings because those subsequent meetings did comply with the provisions of the Act.

Out of abundance of caution, the Board will consider ratifying our August 17th and our August 30th decisions related to the budget at a public meeting on Thursday, September the 7th, at 4:00 p.m. We believe this cure is in good faith and in the best interest of Canyon County.”

(A copy of the written statement is on file with this day’s minute entry.) Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The meeting concluded at 3:48 p.m. An audio recording is on file in the Commissioners’ Office.

SEPTEMBER 2023 TERM
CALDWELL, IDAHO SEPTEMBER 6, 2023

APPROVED CLAIMS

- The Board has approved claims 598131 to 598146 in the amount of \$8,660.00
- The Board has approved claim 598130 in the amount of \$13,317.24
- The Board has approved claims 598147 to 598176 in the amount of \$36,563.63
- The Board has approved claims 597950 to 597993 in the amount of \$50,881.67
- The Board has approved claims 598177 to 598208 in the amount of \$466,026.01
- The Board has approved claims 598209 to 598238 in the amount of \$113,293.08

APPROVED PAYROLL SEPTEMBER 8, 2023

The Board approved the September 8, 2023 payroll in the amount of \$2,188,030.73

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for H&M Meats and Catering to be used 9/16/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Prime Construction in the amount of \$12,028.94 for the Facilities department (PO #5749)
- Prime Construction in the amount of \$32,428.75 for the Facilities department (PO #5748)

QUARTERLY MEETINGS WITH THE DEPARTMENT DIRECTORS TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 9:32 a.m. for quarterly meetings with department directors to discuss general issues, set policy and give direction. Present were: Commissioners Zach Brooks and Brad Holton, Director of Juvenile Detention Sean Brown, Assistant Director of Juvenile Detention Shawn Anderson, Director of Juvenile Probation Elda Catalano (arrived at 9:46 a.m.), Assistant Director of Juvenile Probation Jose Orozco (arrived at 9:46 a.m.), Director of Misdemeanor Probation Jeff Breach (arrived at 10:24 a.m.), Assistant Director of Misdemeanor Probation Mary Gomez (arrived at 10:24 a.m.), COO Greg Rast (arrived at 10:02 a.m.) and Deputy Clerk Jenen Ross.

Juvenile Detention - Director Brown and Assistant Director Anderson reviewed a PowerPoint with the Board which covered the following topics:

- Population statistics
- Staffing
- POST graduation happened March 24, 2023
- Idaho State inspection
- PREA audit
- Facility improvements that have been completed
- 2024 Future projects

- Update on Pat Anderson's School; Caldwell Fine Arts painting with Mayor Wagoner; WITS program (Writers in The School); mural paintings

The Board recessed from 9:52 a.m. to 9:55 a.m.

Juvenile Probation – Director Catalano provided a document to the Board which reviewed the following topics:

- Staffing
- Training – annual IJA Conference take place in Nampa this week
- Internships
- Workload numbers
- Schools
 - School liaison officer
 - Mediation services at Caldwell High School
 - Quarterly meeting with the Caldwell School District Superintendent
- Back to school truancy event
- Clinician recruitment

The Board recessed from 10:17 a.m. to 10:26 a.m.

Misdemeanor Probation – Director Breach reviewed a PowerPoint with the Board which covered the following topics:

- 2023 monthly caseload population to date
- FY23 revenue collections
- FY23 monthly revenue comparisons
- Community Service revenue – Workers Comp. fee
- New workflow for public records requests and subpoena duces tecums; the Board has requested the time to process PRRs be tracked.
- 2023 trainings for Probation Officers
- Other items:
 - Annual evaluations being completed this month
 - Odyssey update (RFP in process)
 - Collaboration with SILD
 - Rule of 80 update
 - PO appreciation week held in July
 - Team building and collaboration session

At the request of the Board, Director Breach spoke to his budget experience this year. He has concerns about his interpreter line being zeroed out but overall, he thought the process went well this year.

The meeting concluded at 11:01 a.m. and audio recordings are on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 1:18 p.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Facilities Director Rick Britton, Customer Service Representative Jodi Edwards and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider release of lien for 5903 Oak St., Nampa, ID: A lien was placed on this property but the invoice has since been paid. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the release of lien for 5903 Oak St., Nampa ID.

Consider notice of lien for 23775 Beartooth Way, Caldwell, ID: The property has been cleaned up and the owner was properly noticed but has not made contact with the county.

Note for the record: Upon review of the documents it appears that the incorrect address was noticed on the agenda. Following communication with legal after the meeting it was decided the best course of action would be to record the lien today to meet deadlines and ratify the action at a future meeting.

The meeting concluded at 1:22 p.m. and an audio recording is on file in the Commissioners' Office

CONSIDER APPROVING TAXING DISTRICT EXTENSION REQUESTS

The Board met today at 1:32 p.m. to consider approving taxing district extension requests. Present were: Commissioners Brad Holton and Zach Brooks, Controller Zach Wagoner, Sr. System Analyst Steve Onofrei, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Onofrei explained this allows the extension of the deadline by 2 weeks for L-2 forms to be submitted. The agencies requesting extensions include the Vallivue, Caldwell, West Ada and Melba school districts, Nampa Fire and the City of Parma. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving the taxing district extension requests (see resolution no. 23-206).

The meeting concluded at 1:35 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 2:33 p.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks (Commissioner Van Beek left the

meeting at 2:42 p.m.), Case Managers Kellie George and Jenniffer Odom and Deputy Clerk Jenen Ross.

Ms. George outlined case no. 2023-73 with the Board identifying possible assets and noting they have not been able to fully determine if the decedent was a Canyon County resident. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to deny the case.

The meeting concluded at 2:44 p.m. and an audio recording is on file in the Commissioners' Office.

SEPTEMBER 2023 TERM CALDWELL, IDAHO SEPTEMBER 7, 2023

APPROVED CLAIMS

The Board has approved claims 598278 to 598307 in the amount of \$65,478.84

The Board has approved claims 598308 to 598313 in the amount of \$1,342.50

The Board has approved claims 598314 to 598315 in the amount of \$4,274.50

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Oregon Rifleworks in the amount of \$59,400 for the Sheriff's Office (PO #5718)
- Premier Wireless in the amount of \$10,750.00 for the Sheriff's Office (PO #5717)
- Advance Cleaning Equipment in the amount of \$10,513.00 for the Facilities department (PO #5750)

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND 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 Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Controller Zach Wagoner, Director of Juvenile Detention Sean Brown (left at 9:34 a.m.), Cpt. Harold Patchett (left at 9:35 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Juvenile Detention Housing Agreement with Adams County: This agreement has been in place for several years and the only change is to the daily rate from \$210 to \$220. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Juvenile Detention Housing agreement with Adams County (see agreement no. 23-115).

Consider signing Ratification for Ada County Sheriff's Office Jail Housing Billing Agreement: This agreement is in the event CCSO needs housing for a conflict issue. The daily rate has remained at \$89. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the ratification for Ada County Sheriff's Office jail housing billing agreement (see agreement no. 23-116).

Discussion ensued regarding the indigent fund. Currently there is \$4.6M sitting in the fund but it is inoperative. At the suggestion of Controller Wagoner, the Board is supportive of moving \$1.3M to the tort fund and the remaining to the current expense fund. Legal will prepare a resolution for the action item which will need to be completed prior to the end of the fiscal year.

Based on a question from Commissioner Holton about the L-2 forms, the following explanation was given. Controller Wagoner explained that property tax is levied by fund. The county has express statutory authority to levy property tax for certain funds; it does not have statutory authority to levy tax for a capital projects funds. He is not aware of any reference in Idaho Code that states the county commissioners can levy property tax for a capital projects fund. Commissioner Van Beek asked about designating surplus funds for capital projects. Controller Wagoner clarified that he is not talking about surplus funds; surplus funds are an entirely different topic of conversation. Capital projects are included within funds that have levying authority. Mr. Wagoner believes the way the county processed the L-2 forms is very transparent. He is very comfortable with them and reconfirmed to Commissioner Holton that they are correct, proper and good to forward on to the state. Commissioner Holton requested that Controller Wagoner attend the ratification meeting this afternoon. In addressing Commissioner Van Beek's earlier comments, the county could potentially levy property tax for a building construction fund after voter approval. Without that approval he is not comfortable adding a new fund with a property tax levy attached where there isn't specific statutory authority to levy.

At the request of the Board, Controller Wagoner confirmed he filled out the dollar certification forms and Mr. Rast filled out the specifics on the capital projects portion. Historically they have been filled out by Mr. Wagoner but this was the first year where forgone has been levied for capital projects so this was the first year the additional form has been filled out the forgone capital projects.

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 10:02 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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley and COO Greg Rast. Controller Zach Wagoner participated from 10:02 a.m. to 10:09 a.m. The Executive Session concluded at 10:28 a.m. with no decision being called for in open session.

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

CANVASS AUGUST 29, 2023 ELECTION - CANYON COUNTY ELECTIONS OFFICE

The Board canvassed election results for the August 29, 2023 election. The official documents were presented by Elections staff and were signed in the Elections Office.

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

The Board met today at 10:59 a.m. with the Fleet Director to discuss general issues, set policy and give direction. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Fleet Director Mark Tolman, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Tolman updated the Board on the following topics:

- Supply chain issues in getting 2024 model Interceptor vehicles and possibly with pick-up trucks. There will a slight price adjustment so a revised PO will be submitted for Board approval.
- New hoists budgeted for FY2024; working to get bids and anticipates a 4-month timeframe for delivery.
- Due to the difficulties in receiving new vehicles the Fleet department will be maintaining some of the older fleet vehicle longer.
- General discussion was had regarding the budget, auction vehicles and working with other area agencies.

The meeting concluded at 11:19 a.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 11:30 a.m. with the County Agent to discuss general issues. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, County Agent Tasha Howard, COO Greg Rast and Deputy Clerk Jenen Ross.

Ms. Howard updated the Board on the following topics:

- Staffing changes - administrative office and educators
- Conclusion of summer programming; 4-H Youth at the Fair
- Activities happening within each of the programs
- Diabetes program will be held for county employees
- Expressed appreciation for county support specifically in regard to HR and Facilities
- County agreements are in process and will be coming forward for Board consideration in the future

The meeting concluded at 11:47 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: CONSIDER A REQUEST BY THE CITY OF NAMPA TO AMEND THEIR EXISTING AREA OF CITY IMPACT BOUNDARY IN ACCORDANCE WITH IDAHO CODE §67-6526 AND CANYON COUNTY CODE §09-11-27

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by the City of Nampa to amend their existing area of city impact boundary, Case No. OR2023-0002. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assistant Planning Manager Dan Lister, City of Nampa Officials: Rodney Ashby, Doug Critchfield, Breanna Son, and Daniel Badger, Deputy PA Zach Wesley, Deputy PA Laura Keys, Steve Burton, JoDee Arnold, Erin Banks Rusby from the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. DSD Director Sabrina Minshall arrived at 2:30 p.m.

Assistant Planning Manager Dan Lister gave the oral staff report. On March 1, 2023, Canyon County received a written request from the City of Nampa to amend their existing area of city impact boundary.

- The requested expansion area is approximately 2,600 acres near the north and east boundary of Lake Lowell.

1.Approx. 1,996 acres between Midway and Indiana Roads, north of Lake Lowell and south of Caldwell's AOCI.

2.Approx. 4 acres along Greenhurst Road already annexed into the City of Nampa.

3.Approx. 600 acres located between Midland Boulevard and Lake Lowell adjacent to city jurisdiction and area between W. Locust lane and 12th Ave.

- An initial meeting was held between the Board of County Commissioners and the City of Nampa on April 24, 2023. The meeting concluded with the County agreeing to begin the hearing process (OR2023-0002)

There was a review of the background on area of city impact boundaries and joint powers agreements, as well as the required findings:

Trade Area

- Services and job centers in Nampa are 2-4 miles away on Karcher Rd., Midland and Caldwell Blvd. Access to I-84 and Karcher bypass via Midway Rd. and Lake Ave.
- Access routes to Nampa services and job centers are on Midway Rd., Lone Star Rd., Roosevelt Ave, Greenhurst Avenue and Locust Lane.
- The proposed expansions area includes a planned Nampa Elementary School and located adjacent to a planned Nampa High School.
- The expansion area is already served by Nampa School District.
- Expansion abuts Midway Park maintained by City of Nampa and near Redhawk public golf course located in Red Hawk Ridge Sub in city jurisdiction.

Geographic Factors:

- The proposed AOI expansion area fills the gap between the Caldwell Area of City Impact, Deer Flat NWR, and the existing Nampa AOI.

Notice was provided May 26, 2023 & July 28, 2023. No comments were received from Deer Flat NWR or City of Caldwell.

Area That Can Reasonably be Annexed:

- Current Nampa City Limits are located adjacent to, or within 1 mile of the proposed AOI expansion area. Development trends and interests demonstrate growth moving towards the proposed expansion areas.

•Sanitary Sewer:

Middleton trunk (South): Existing infrastructure is located generally north of Greenhurst and east of Midland. Lift station required due to topography. Timing based on development needs.

Midway trunk (west): Existing infrastructure is located south on Midway. New lift station being installed (South Karcher/Midway).

- Domestic Water:

West: Existing system north and south Midway. New well in the western area of the expansion will be required sometime after 2035.

South: Existing north of Greenhurst and Midland.

- Irrigation:

West: Existing system located north and south of Midway. Timing for new source based on development needs.

South: Existing system north of Greenhurst and Midland.

Potential Concerns:

- Canyon Soils Conservation District identifies the west 2,000 acres contain 28% Class 2 soils and 66% class 3 soils. 94% is considered productive agricultural soils.

There was a review of maps and the land decisions that have occurred.

Recommendation:

On July 6, 2023, the Planning & Zoning Commission recommended approval of the request including a text amendment to modify Section 09-11-11 of the Canyon County Code to recognize the expansion and comprehensive plan map amendment to amend all maps to show the request expansion. If approved, the decision includes the following actions:

- Signing of Findings of facts, Conclusion of law and Order recommending the Board of County Commissioners approve the request which includes the subsequent approval of:

A resolution to amend the 2030 Canyon County Comprehensive Plan to amend the impact boundary on all maps; and

An Ordinance amending Canyon County Code Section 09-11-11(1).

Following his report, Mr. Lister responded to questions from the Board.

Rodney Ashby responded to questions from Commissioner Van Beek. Their residential mixed use designation is in multiple places throughout the comprehensive plan area but their focus is medium-density residential so it will primarily be a single-family subdivision, duplexes, or townhouses as well as some neighborhood commercial. Commissioner Van Beek asked if Nampa would be willing to exclude light-industrial around Lake Lowell. Mr. Ashby said that is a reasonable request and they could work that out in a subarea plan and they will get sufficient about the types

of uses they want to see in there. Mr. Lister said the City gets to comment, but at the end of the day, the County's comprehensive plan guides that area. We want to get to a point to amend the agreement and talk about the area and plan together but today's hearing is about a map amendment.

The following people testified in support of the City of Nampa's request:

Doug Critchfield's testified about the history of the City of Nampa's impact area expansion request. Following the community involvement process, the Nampa City Council voted to proceed on February 6, 2023. He said Nampa views this an opportunity to plan for future growth and address annexation requests when they come in with some specific details. The purpose of the plan is anticipating economic development and promoting orderly growth patterns and, in the process preserving agricultural land to the degree they can. He reviewed the current boundary and the expansion area; the expansion area is a planning area, it's not within the area of city impact. The location is described as: West of the current impact area north - Orchard Avenue; West & South - Lake Avenue to just west of Indiana Avenue, to Deer Flat Wildlife Refuge; East - Midway to S. Midland to west of Hwy 45. It will increase the current impact area by about 5%. The land uses are designed to buffer the development that's going on in Nampa as well as the proposed development in Caldwell, north of Lone Star and Lake Ave. The area was contemplated and negotiated several years ago and it was brought at one time but was not viewed favorably in 2016. The City is bringing it back again because development is working in this direction and they have had requests for land uses in this area they cannot comment on because it's outside of the area of impact. He reviewed the trade area, geographic factors, and the areas that can reasonably be expected to be annexed to the city in the future. He also reported on the soils information.

Daniel Badger gave testimony on how the City will service the property. Their existing water supply is adequate to handle the anticipated development until 2035 at which point they will put in a new groundwater source for the domestic system, assuming development comes in the way they anticipated it. They are comfortable the utilities the City provides they can serve to the area and would have adequate supply as those properties come into the City. From the wastewater plant capacity side of things they have plenty of capacity to handle this area, and on the collection system side of things the installation of the lift station with the Middlebury Subdivision will take care of a lot of this area and allows for gravity lines to be extended to those area.

There were follow-up questions from the Board, and discussion regarding agriculture preservation. Mr. Critchfield said agricultural designation in the plan is a very low-density designation and as they develop the subarea plan they can bring that forward again to have it more represent what it is that that indicates on there. The best way to preserve agriculture is to build density closer to the where the services are so that it doesn't sprawl. They have areas near the Boise River and Lake Lowell that have ecological sensitivities and other factors, and they are somewhat like buffer areas where they can transition into more an agricultural area and ecological preservation type of setting. The City has had conversations with the seed producers and landowners.

Commissioner Holton is concerned about the confusion between the City's definition of Ag and the County's definition of Ag, and he believes increasing the impact area will increase the confusion. He suggests that any application submitted in the area of impact that the City write in as a response to the applicant the City's definition of Ag and make it very clear that it is not the County's definition of Ag so that when it comes to the County to make a determination that's delineated within the documentation because although we both call it Ag, we are not talking about the same thing.

Rodney Ashby said when they went to the Nampa City Council it was requested that the Ag designation be changed even before they started talking to the County because it is confusing to people who see the designation and think it will be preserved for farmland forever, but that is inaccurate and they have tried to address it. There were several farmers who opposed changing the designation from agriculture to very low-density residential and the council decided to go with the request from the farmers to keep it as agriculture. They tried to make it very clear that that does not mean it will stay agriculture, but it was a sticking point and they could not get the approval of the comprehensive plan until they cleared that hurdle with the farmers so they agreed to leave it as Ag. There is a lot of hope in changing that designation in the future as they go back to the council and voice the County's concerns about the designation. There are opportunities to call it something besides Ag. The best way to solidify this is through the joint powers agreement where they identify what the designations will be. Once the boundary is identified they will address how to address Ag in the impact area and work closely with DSD and the Board.

Discussion ensued regarding transition areas, buffer areas, water and septic systems, densities, and the importance of good planning. Mr. Ashby said the City and the County are on the cusp of doing a lot of planning and this is a great step in the right direction to start that planning effort. We both have interest in updating the joint powers agreement and making it clear to everyone what the intention is for that area. Commissioner Van Beek proposed to have staff take it to the city council and negotiate that and meet again and see if we can come to a consensus. Deputy PA Wesley said we will have to have the joint powers agreement and then each agency must adopt it through an ordinance which will require amendments to the comprehensive plan and the ordinance and an additional public hearing to change the definitions. The Board can do it at once or we can use an MOU to agree to go through those processes. Director Minshall prefers to do it as simple as possible with both agencies working together. Commissioner Brooks and Commissioner Van Beek are in support of Nampa's request. Based on the findings of fact, conclusions of law, and order, Commissioner Van Beek made a motion to approve Case No. OR2023-0002 for the Nampa City Impact Area Expansion which is approximately 2,600 acres north of Lake Lowell with the understanding and agreement between the City of Nampa and the County that there are a couple of things we will be continuously working on: one is for the exclusion of light-industrial in the area, and to amend the language at some point in time so there is clarification for citizens between the County and the City on what the definition of "City Ag" as opposed to ag in the County looks like. She clarified that the motion is to approve with some enhanced language in the FCO's to accommodate what was agreed on. The motion was seconded by Commissioner Brooks and carried unanimously. The modified FCO's will be brought back at a later date. The hearing concluded at 2:58 p.m. An audio recording is on file in the Commissioners' Office. (A copy

of the PowerPoint presentations from the City of Nampa and Canyon County are on file with this day's minute entry.)

ACTION ITEM: CONSIDER RATIFYING AUGUST 17, 2023 TENTATIVE BUDGET AND AUGUST 30, 2023 FINAL BUDGET

The Board met today at 4:01 p.m. to consider ratifying the August 17, 2023 tentative budget and the August 30, 2023 final budget for FY2024. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, Clerk Chris Yamamoto, Controller Zach Wagoner, HR Director Kate Rice, Steve Burton, Larry Stevenson, Ron Amarel, Kris Crookham, Erin Banks Rusby with the Idaho Press-Tribune, and Deputy Clerk Monica Reeves. Chairman Holton opened the meeting and said on Tuesday, September 5, the Board put background information on the record, and members of the public are welcome to listen to that. He then called for a motion to ratify the August 17th decision to approve the tentative budget. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the tentative budget. Chairman Holton asked for a motion to ratify the August 30th decision to approve the final budget. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the August 30 decision on the final budget. Chairman Holton asked for a motion to ratify the approval for the forgone. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to ratify the forgone amount. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The meeting concluded at 4:02 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2023 TERM
CALDWELL, IDAHO SEPTEMBER 8, 2023

No meetings were held this day.

APPROVED CLAIMS

The Board has approved claims 598239 to 598277 in the amount of \$31,039.33

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for The Curb Bar & Grill to be used 9/9/23; Tower Grill to be used 9/23/23, 10/1/23 and 10/6/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$278,850.00 for the Fleet department (PO #5573) **this PO has been revised to adjust cost; the original PO was signed on 8/25/23**

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 11, 2023

No meetings were held this day.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Atlas in the amount of \$14,832.00 for the Facilities department (PO #5751)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Vincent Crosby, Comm. Officer – Call Taker
- Chad Bingham, Sergeant – Patrol

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 12, 2023

APPROVED CLAIMS

The Board has approved Grand Jury ADV in the amount of \$2,997.93

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- High Focus LLC in the amount of \$25,000 for the Sheriff's Office (PO #5679)
- Carbon Networks in the amount of \$10,885.00 for the Information Technology department (PO #5774)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Michael Florian, Deputy Public Defender II
- Joshua Townsend, Deputy Public Defender III

FILE IN MINUTES

The Board filed the Treasurer's monthly report for July 2023 in today's minutes.

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, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Chief Public Defender Aaron Bazzoli (arrived at 9:34 a.m. and left at 9:35 a.m.), DSD Director Sabrina Minshall and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider renewal agreement with Thomson Reuters for Westlaw subscription: This subscription will be used in the Public Defender's office. This is the standard agreement and legal has no concerns. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the renewal agreement with Thomson Reuters for Westlaw subscription (see agreement no. 23-118).

Consider Memorandum of Understanding for the FY2023 Orthophotography Project with Community Planning Association of Southwest Idaho (COMPASS): This service will provide satellite images for GIS and the cost will be split with CCSO. Director Minshall spoke to the process that has been done to get to signing this contract, what is provided and how this benefits both the Development Services department and the county. DSD's portion will be split between fiscal years 2023 and 2024. At the request of the Board, Director Minshall will provide the COMPASS funding formula with the detailed scope of work. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the MOU for FY2023 Orthophotography Project with Community Planning Association of Southwest Idaho (COMPASS). See agreement no. 23-117.

Discussion ensued regarding planning and zoning commissioner terms. Director Minshall said she will forward any pertinent information to legal in regard to the P&Z bylaws and the ordinance guiding the P&Z Board. Terms for both the chairman and vice-chairman are up in November and the chairman has already served 2 terms.

The meeting concluded at 9:48 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEM

The Board met today at 10:32 a.m. to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider ratifying notice of lien for 23763 Beartooth Way, Caldwell: The address of this property was noticed incorrectly when originally added to the agenda so today's meeting is to ratify the action taken on September 6, 2023. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the notice of lien on parcel no. R3449912100 located at 23763 Beartooth Way, Caldwell.

Note for the record: In order to meet timeframe requirements, the lien for this property was recorded on September 6, 2023. Documents pertaining to this lien can be found with that day's minutes.

The meeting concluded at 10:33 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEM

The Board met today at 10:34 a.m. to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Public Defender Aaron Bazzoli, HR Director Kate Rice, HR Generalist Demi Etheridge and Deputy Clerk Jenen Ross.

Consider resolution promoting two (2) attorneys in the Public Defender's department: Mr. Bazzoli provided background and history on this resolution and the attorneys it affects. The 'A' budget is well below budget due to unfilled positions; additionally, there are PDC monies that will be available. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution promoting two (2) attorneys in the Public Defenders' department (see resolution no. 23-207).

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

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

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 13, 2023

APPROVED CLAIMS

The Board has approved claims 598316 to 598324 in the amount of \$1,096.25

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hay Needle in the amount of \$3,602.60 for the Assessor's Office (PO #5787)
- CWI in the amount of \$2590.00 for the Facilities department (PO #5752)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Evengelina Oregon, Record/Civil Assistant Supervisor

- Debra Mcrae, SOR Supervisor
- Rachel Gonzalez, Driver's License Supervisor
- Irene Hernandez, Assistant Driver's License Supervisor
- Sharon Straus, Cust. Serv. Spec. Driver's License
- Alyssa Ellis, Cust. Serv. Spec. Driver's License
- Amanda Hedrick, Sr. Admin. Specialist
- Kira Valentine, Customer Service Specialist

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for County Line Wine Company LLC to be used 9/28/23, 9/22/23, 9/23/23; and Slicks Bar to be used 9/29/23.

MEETING WITH PDC REGIONAL COORDINATOR JENNIFER ROARK TO DISCUSS GENERAL UPDATES

The Board met today at 10:02 a.m. with PDC Regional Coordinator Jennifer Roark to discuss general updates. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Public Defender Aaron Bazzoli, Jennifer Roark with the PDC participated via teleconference, COO Greg Rast and Deputy Clerk Jenen Ross. Ms. Roark updated the Board on the following items:

- Review of continued training programs
- Review of grant award document and how the allocation amount is determined; data request information is due Friday
- A meeting will be planned at the beginning of the year for a final report from the PDC as public defense moves to the state system
- The annual review report was recently sent out and Canyon County had caseload issues. Mr. Bazzoli addressed this stating that his office has been down one attorney pretty much all year; they have made an effort to evaluate where caseloads are coming from and assigning to the greatest need.

Mr. Rast asked about the PDC's involvement in the transition to the state system. Ms. Roark said that she can only speak to her role in the transition which is nothing at this point but she will continue to support the counties until the transition happens. The interview process is happening now for state public defender and then that person will provide direction on how the PDC can best support the counties however that may look.

The meeting concluded at 10:18 a.m. and an audio recording is on file in the Commissioners' Office.

DISCUSSION ON PROCEDURES TO MOVE PAYROLL FROM THE AUDIT OFFICE TO THE HR DEPARTMENT

The Board met today at 1:34 p.m. for a continued discussion on procedures to move payroll from the Audit Office to the HR Department. Present were: Commissioners Brad Holton and Leslie Van Beek, COO Greg Rast, Clerk Chris Yamamoto, Controller Zach Wagoner, Audit Supervisor Sarah Winslow, HR Director Kate Rice, HR Generalist Kendra Elgin, Director of Misdemeanor Probation Jeff Breach, Sheriff's Financial Officer Dave Ivers, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks arrived at 2:01 p.m.

COO Rast said he had a good discussion with the Clerk and Controller a few days ago and they talked about some controls and procedure changes to create dual control between HR and Auditing. He met with HR Director Rice after that meeting and he is seeing a lot of good cooperation. There are five items they came up with for discussion to see how they can do it procedurally between both offices as detailed in the email he forwarded to the Board, as information only (noted below):

1. Change the payroll calculations to 2 decimal points instead of 4.
2. New Hires - Human Resources will remain to input new hires and initiate a timesheet access request.
3. Human Resources will be in charge of the Employee Change Status Form "Blue Sheet" and make all staff related changes in regards to salary changes, benefits, vacation and sick accruals. Basically all staff changes.
4. Split Salary Base Pay and Individual Specialty pay(s) in ADP for reporting and export purposes.
5. All Financial changes either one-time or ongoing will be approved by the Board. This includes any additional vacation adjustments.

Director Rice said this morning Audit and HR had a productive meeting to discuss the 5 topics (noted above) and some additional topics that as we continue to move forward and collaborate and move the payroll processing to a function that is transparent and that the Board will understand all the safeguards that are in place.

- **Payroll to 2 decimal places rather than 4 decimal places:** The issue is around hourly employees, not exempt employees. The Controller made that distinction and made a valid recommendation on how salaries or hourly wages will be input into ADP. Controller Wagoner said if it's an hourly employee the pay is hourly and if all Audit sees is an hourly rate to 2 decimal places they are good with that. Some of the challenges were if they saw an hourly rate and an annual salary, sometimes they didn't add because of rounding issues. For hourly employees HR has committed to reporting only 2 digits past the decimal, and they will not show an annual salary. If it's a salaried employee all Audit wants is the salary, and if it's an hourly employee all they want is the hourly rate.

- **New hires:** Director Rice said HR will continue to do the input for new hires and will work closely with Audit. They now better understand the structure and the needs to not have new hires in timesheets prior to the submission of payroll, and in order to make that work for the PERSI report, it is imperative they not give new hires access because of the way the report pulls. HR and Audit will better communicate when the process is complete and if it's something HR can do to move those people forward so they have access to the timesheet, and if it's something Audit will do they understand there will be weeks they have other responsibilities and HR can step in and help in the process.
- **HR will be in charge of blue sheets and make all staff related changes:** Director Rice said in ADP there is an employment profile that identifies the person's title, where they work, benefits status, etc., and HR will take on the responsibility to do the data entry for not only new hires but for status changes as well and that information will flow to Audit for the doublecheck. Controller Wagoner said it will be helpful if HR is not too efficient with entering changes which ties back to timing with the PERSI report because if they enter a new salary or payrate before the effective date it can create an issue with our PERSI reporting. They have talked about waiting until the effective range to make any type of pay changes.
- **Splitting base pay and specialty pay:** Director Rice said Audit has looked into using some custom fields, and HR has looked into using different rate codes, but it has been a challenge to work with ADP. She requested this be an open issue and allow time for her to work with Audit to get a solution. Rate codes or custom fields is where specialty pay will reside but it will not be used in the calculation of payroll and timesheet processing. She requested a 45-day window to get that done, and she will work to revise the employee status change form (blue sheet) where there will be a section that will identify what the supervisor or manager has identified as base pay and if there is specialty pay and any other change. It will be brought back to the Board for discussion about how it will be implemented within ADP. She anticipates having a solution by the end of October. Clerk Yamamoto said he agrees to figure out a compromise but he cautioned against having high expectations of a solution from ADP. He also said the blue sheets have changed multiple times over the years and there was a time the Board had a resolution that they did not want to see blue sheets at all. We need to figure out the best way to do business and then stay with it. Director Rice spoke about the centralization of HR processing all blue sheets where financial changes will be approved by the Board. Commissioner Holton wants to meet as a group and agree on a new blue sheet where there is collaboration and everyone's concerns are documented. Controller Wagoner spoke about the on-call payment and formalizing those changes on a blue sheet by having a form attached that lists all the specialty pays and any on-call pay so if there is a transition then we have a paper record. The PA's Office and IT Dept. have on-call pay where staff rotate on-call.

- **Benefit deductions:** Currently only health insurance and flex spending are deducted from two paychecks per month, and other deductions for dental insurance, NCPERS, and LTD buy-up are done exclusively at the last paycheck of the month. With premiums going up and changing and potentially adding benefits HR has requested those deductions be done out of the first and last paycheck of the month and they are working with Audit to streamline and help employees better understand when monies are being deducted from their check and making them more consistent to have hundreds of dollars out of one paycheck. Controller Wagoner is little concerned with some accounting issues and the possibility the increase of something that is withheld on the first paycheck and the employee doesn't make it to the end of the month and we are trying to get back \$3.79 for example, taxes, etc., We need to consider the dollar amount. The reason they are only deducted once is they are a smaller dollar amount compared to our health insurance where the premium for a family is \$356. If we are talking about a deduction of \$16 or \$8.97, how do you split that, what do you do with the money during the middle of the month? He said they are open to conversations but we need to be cognizant of the other ramifications. Commissioner Holton asked if Audit works with the Treasurer on making sure the total aggregate dollar amount for the two-week pay period is correct, and does she confirm that the amount did get transferred? The Controller said yes, there are no changes there and that will still be the similar process.

COO Rast said this is not a shift or transfer from Audit to HR, it's more of a procedure change to make sure we have the dual control and going forward we need to communicate better before we start throwing things out there for changes. He acknowledged that in the very beginning he should have met with the Clerk and told him what's coming and asked for his thoughts and then brought it back to the Board. Clerk Yamamoto agreed that the communication could have been better on all sides, but said hopefully the lines of communication are now open. The meeting concluded at 2:15 p.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 AND CONSIDER ACTION ITEMS

The Board met today at 2:25 p.m. for a quarterly meeting with the Parks Director to discuss general issues, set policy and give direction and to consider action items. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson (left at 2:29 p.m.), Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider amendment no. 1 to Canyon County Historic Preservation Support Award agreement no. 21-110 for the Melba Valley Historical Society and the Historical Society of Middleton agreement nos. 21-111 and 21-112: Director Schwend explained that the Melba Valley Historical Society is working to get the Melba Valley Museum on the National Register of Historic Places and that the Historical

Society of Middleton is working on a survey and preservation plan of historical downtown Middleton and that all of these projects are long-term. The extensions will allow an additional year for the projects to be completed and Director Schwend is confident they are all moving forward as outlined. Commissioner Van Beek made a motion to approve amendment no. 1 to Canyon County Historic Preservation Support Award for the Melba Valley Historical Society in the amount of \$7940 and the Historical Society of Middleton agreements for \$3000 and \$5000. The motion was seconded by Commissioner Brooks. Commissioner Van Beek then amended her motion to include the agreement numbers of 21-110, 21-111 and 21-112. The amended motion was then seconded by Commissioner Brooks and carried unanimously.

Director Schwend updated the Board on the following topics:

- School field trips and interpretive specialists
- Commendation letter received from the Sowers
- Website banner notifications– Celebration Park parking lot, campfire ban at Celebration Park and Martin Landing, camping at Martin Landing closed September 7th.
- Celebration Park parking lot reconfiguration
- Lake Lowell will close September 30th
- Park incidents – shop damage from a tree, a broken lifejacket loaner station, snake caught in a roll-up door
- Summer 2023 Canoe Science Camp
- American Association for State and Local History (AASLH) conference happened recently
- Interpretive staff summer training
- Other items:
 - Historic Preservation Officer job description/salary finalization
 - RFQ and RFP process for several FY24 projects
 - Department procedural manuals
 - Updating field trip lesson plans
 - Wildflower exhibit coming to Crossroads in March 2024
 - Possible user fee for Celebration Park
- Upcoming HPC and Gun Range Advisory Board meetings
- Starlink is now at the visitor center; IT wants to make sure it is working at the park before they roll it out to the rest of the grounds

Commissioner Van Beek would like to do a waterway tour from Swan Falls to Malheur County.

The meeting concluded at 2:59 p.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 3:01 p.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, COO Greg Rast (joined the meeting at 3:10 p.m.) and Deputy Clerk Jenen Ross.

Director Sinner updated the Board on the following topics:

- 2023 Fair numbers – attendance, revenue, mainstage concerts, average temperatures and expenses
- Highlights – public safety; new layout including The Center, Mainstage concerts at Simplot Stadium, and livestock area; success of the Latino Fair Festival
- Opportunities – recruitment of Spanish speaking staff especially during fair time, maximize available space; guest experience including additional seating and shade/cooling stations; education/promotion including development of information, prepare messaging, promotion, map of the fairgrounds, signage around the grounds, information booths on-site during fair, parking/shuttles; agricultural education programming and community involvement; increased attendance on opening day.

The meeting concluded at 3:25 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH SHERIFF'S OFFICE TO PROVIDE END OF YEAR FINANCIAL UPDATE AND INITIAL BRIEFING ON FEE RESTRUCTURING IN THE SHERIFF'S RECORDS/CIVIL DEPARTMENT; AND CONSIDER POSITION CONTROL NUMBER (PCN) AND SALARY ADJUSTMENTS FOR THE SHERIFF'S OFFICE

The Board met today at 3:36 p.m. with the Sheriff's Office to provide end of year financial update and initial briefing on fee restructuring in the Sheriff's Records/Civil Department, and to consider PCN and salary adjustments. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Chief Deputy Sheriff Doug Hart, Captain Ray Talbot, Sheriff's Financial Manager David Ivers, Lt. Doug Gately, HR Director Kate Rice, HR Generalist Cindy Lorta, and Deputy Clerk Monica Reeves. The topics of discussion were as follows:

There was a review of the Sheriff's field services and security services budget. They have exceeded revenue expectations in the room and board of prisoners category by \$600,000 this year due to the revenue payments from the Idaho Dept. of Corrections (IDOC) for the housing of state inmates in Canyon County and that is the result of that. The landfill work release program revenue account is expected to exceed \$150,000. In the total revenue line there is a variance of \$159,000, but when adding in the IDOC payments and the funds from the work release program they will exceed that line by approximately \$750,000. Chief Hart said IDOC has drawn down their holds by a decent number the past few weeks and it's his understanding they have acquired prison space in Arizona so they are starting to send some Idaho prisoners to Arizona, but he still thinks the jail will be in

high demand for probation and parole violations but this year they wanted to let the Board know that between landfill and IDOC revenues that there is a bonus they had not anticipated.

Chief Hart reviewed the proposed resolution to approve the changes to job title, job description and salary range of 4 positions in the Sheriff's Office. With the exception of one position these are projects 41 and 42 in the CCSO plan. Project 41 was realigning some titles and some salaries for supervision in Driver's License and for Project 42 they had 3 part-time positions they wanted to convert into one fulltime position. The resolution gives a new PCN so there is a little bit of a savings to go from 3 part-time to one fulltime. Captain Talbot gave a history on the positions. The driver's license supervisor was changed to the sex offender registry supervisor, but her title and pay were not changed. Project 41 was a re-titling and creating of a sex offender unit registry supervisor at a paygrade 13, and moving the assistant supervisor into the supervisor title going from a paygrade 13 to a 15. They had an employee who was identified as the assistant supervisor who had never been compensated or titled in that role so this will allow them to put that person in the assistant supervisor role. That employee is currently at a paygrade 12 and is within the scale of paygrade 13 but they are proposing to compensate them \$2,080 a year with the promotion to compensate for several years of fulfilling that role. They discovered in the records section they had an employee who was referred to as the assistant supervisor but her PCN title was senior administrative assistant which was a paygrade 12 so they want to move her to a paygrade 13 but because of where she is in pay scale 12, she is within pay scale 13 so they so they propose she gets the 3% scale increase and give her the proper title of assistant records supervisor. With the sex offender registry supervisor at a paygrade 13, she is just under \$1,000 outside of scale so they recommend the pay stays frozen until she is back within scale and then she would be eligible for pay raises. Following review and discussion, Commissioner Holton made a motion to approve the changes job title, job description, and salary ranges for the positions in the Sheriff's Office. The motion was seconded by Commissioner Brooks and carried unanimously. (See Resolution #23-208). Accompanying blue sheets were submitted by Chief Hart.

Review of the Sheriff's Records and Civil Unit Cost/Fee Analysis. The Sheriff's Office has done a tremendous amount of work to make sure they can be within code in terms of the analysis and fees that are supposed to be posted on the County's website. With the purchase of the Tyler Technology software for the records section they are anticipating it will substantially change the amount of work the records department can do. Lt. Doug Gately reviewed where the office is in terms of backlog, the analysis for each fee, and the move to the civil wage garnishments, which represent 40% of the workload in the records department. Currently they are behind 131 garnishments. Three new garnishment companies have moved into Canyon County where our fees for garnishments are significantly less than every county in the state. The Sheriff's Office has not revised their garnishment fee since 2017. A study has been done to evaluate manhours, depreciation of vehicles, amount of fuel being used, and employee wages, to determine what it costs the County to produce and serve the paperwork. Captain Talbot discussed how they worked through the process. In mid-October they want to review each fee and then make recommendations to the Board in November, with a resolution adopting the fees for the first of January. It's a process they hope to follow yearly to make sure the fees are in line with the true costs and to be in compliance with Idaho Code.

There were 4,611 wage garnishments in 2022; they are currently charging \$35 per processing of garnishments and a total of \$161,385 in fees were collected from garnishment companies and attorneys who are suing for wage garnishments. The total cost to the County for personnel, postage, office supplies is \$435,518.33. Overtime costs are \$55,765.68 for a total of \$491,284.01 which broken down per garnishment is \$106.44. Without overtime the cost is \$94.45. Ada County charges \$55 per wage garnishment, and Kootenai County charges \$152 per garnishment. Captain Talbot anticipates the Sheriff's Office will be about \$90 per wage garnishment. If they increased and matched Ada County's fee of \$55 per service they would go from \$161,000 to \$253,605 in fees collected, and if they bumped to \$75 per service the total would be \$345,825. If they are close to what the true costs are the amount would be nearly \$415,000 and when compared to what it costs the County for Tyler Technologies they could recapture what they have paid for software just by adjusting the fees to what it costs to provide the service.

There were follow-up questions from the Board regarding processing, and improving efficiency, current fees and costs; and the proposed timeline for implementing the new fee. The figures include the current wages, but they are looking at a 3% wage increase so it's not drastic. Captain Talbot said he can figure them at FY2024 figures and bring them back, or the Board can take this under advisement and make a resolution with the fees as calculated and then they will recalculate after October of 2024 for FY2025. The Board will look at setting the fees in November and will comply with the advertising requirements based on FY2024 salaries. Captain Talbot will check with the Auditor's Office on the cost of preparing checks for the garnishments. The meeting concluded at 4:23 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 14, 2023

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change forms for:

- Dustan Gentry, Deputy Sheriff - Inmate Control
- Cory Ray Kondeff, Deputy Sheriff - Inmate Control

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, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Lt. Travis Engle (left at 9:42 a.m.), Cpt. Harold Patchett (left at 9:42 a.m.), Director of Juvenile Detention Sean Brown (left at 9:42 a.m.), Assistant Director of Juvenile Detention Shawn Anderson (left at 9:42 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Juvenile Detention Housing Agreement with Boise County: This is a standard agreement with the only change this year being to the daily rate which has increased from \$210 to \$220. Upon the motion of Commissioner Van Beek and second by Commissioner Books the Board voted unanimously to sign the juvenile detention housing agreement with Boise County (see agreement no. 23-122).

Consider Addendum No. 1 to Inmate Phone/Tablet Services and Equipment Request for Information: This addendum will address vendor questions that have been submitted. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign addendum no. 1 to inmate phone/tablet services and equipment request for information.

Consider Notice of Intent to Award Contract for Canyon County Jail & SWJDC Food and Commissary Services: All responses have been reviewed and Summit was selected for both food and commissary services. This will be a new agreement not a continuation of the same contract. Commissioner Holton made a motion authorizing CCSO to sign the notice letter. The motion was seconded by Commissioner Van Beek and carried unanimously.

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 9:42 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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keyes. The Executive Session concluded at 10:01 a.m. with no decision being called for in open session.

The meeting concluded at 10:01 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER APPROVAL DOCUMENTS ASSOCIATED WITH CASE NO. RZ2021-0061 (AG DEVELOPMENT, LLC)

The Board met today at September 14, 2023 at 10:20 a.m. to consider signing the approval documents associated with Case No. RZ2021-0061. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner III Debbie Root, and Deputy Clerk Monica Reeves. On August 15, 2023 the Board conducted a public hearing in the matter of a request by AG Development, LLC, for a conditional rezone from an "A" (Agricultural) zone to a "CR-C-2" (conditional rezone – service commercial) zone. The request was approved and the Board wanted

certain amendments made to the conditions which included specifying the location of fencing; the design and façade of the flex buildings; the building height/elevation along the southern boundary. Staff was directed to memorialize the Board's deliberation in the approval documents, and then Ms. Root had the applicant review and re-sign the development agreement. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the approval documents associated with Case No. RZ2021-0061 which are the FCO's, a development agreement with amended conditions (No. 23-123) and the ordinance directing amendments to the Canyon County Zoning Map as presented (No. 23-007). The meeting concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

QUARTERLY MEETING WITH DIRECTORS TO DISCUSS GENERAL ISSUES, SET POLICY AND GIVE DIRECTION

The Board met today at 10:35 a.m. for a quarterly meeting with Directors to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Zach Brooks and Brad Holton, HR Director Kate Rice (left at 11:26 a.m.), Comp/Benefits Manager Bosco Baldwin (left at 11:26 a.m.), COO Greg Rast (arrived at 10:38 a.m.), Solid Waste Director David Loper (arrived at 11:13 a.m.) and Deputy Clerk Jenen Ross.

Director Rice updated the Board on the following topics:

- Commissioner Holton would like to see notification sent to all employees that specialty pay will be terminated in 60-days unless it is substantiated. Commissioner Van Beek expressed her support of this direction. Commissioner Holton instructed Mr. Baldwin that it is to be inclusive off all county employees; he recognized the majority of the employee receiving specialty pay are in the Sheriff's Office and he has informed the Sheriff this may be coming. The Board will draft a memo in coordination with the HR department.
- Commissioner Van Beek asked about a change to a Benefits Coordinator. Ms. Rice explained it's just a title change, to bring the HR Generalists and the Benefits and Training Coordinator into a common/current vernacular and best practices. There are no changes to the job description.
- Benefits package: there are portions that are not at a standard with others in the community. The compensation portion is now on stable ground and Mr. Baldwin would now like to evaluate some benefits he would like the Board to consider. Currently the only voluntary life insurance available to employees is thru NC PERS, however, it is a declining benefit. They would like to introduce coverage that is 100% employee funded and optional thru Lincoln Financial. Mr. Baldwin provided explanation of the benefit.
- This year every employee must re-enroll in order to have benefits; unlike previous years, this year will not be passive. HR's goal is to make sure everyone is actively involved and that information is up-to-date. Next year will go back to being passive. HR will be diligently working with all Offices, departments and individuals if necessary to ensure all employees have the opportunity to enroll.

- Employee vacation: currently at the start of a new fiscal year any vacation hours over 240 are artificially reduced back down to the 240 hours. Director Rice's suggestion is to discontinue that practice and allow continued accrual of hours but that if an employee leaves for any reason they will only be paid out 240 hours no matter how many hours they have accrued. Additionally, she would like to cap scheduled time-off to 160 hours at one time (this does not include FMLA). The Board is supportive of this plan being pursued and brought back for consideration. With this change sick to vacation and vacation to sick conversions would be eliminated.
- Director Rice would like to start the recruitment process for the Risk and Safety Manager position that was approved for FY24, however, the position would not start before the new fiscal year. The Board is supportive of this. The job title and description will need to be adopted by resolution by the Board at a future meeting.
- In response to a question from Commissioner Van Beek, Director Rice would like to look into an employee benefit broker agreement and arrangement. The Board is supportive of HR starting to look at options.

The Board recessed from 11:26 a.m. to 11:31 a.m.

Director Loper updated the Board on the following topics:

- Waste amounts are down by approximately 5% for FY23
- LFG Project: the project continues to move forward and the anticipated completion is the end of 2023 with a mandatory completion being March 2024. The Board would like to do a fieldtrip to the landfill to see this project. Funding was included in the FY24 budget.
- Dust Control System: this project is still in process and they are currently waiting on the building vendor. Some of the cost may roll to FY24 but most costs will be accounted for in FY23.
- SWAC: A representative for District I is still needed. Commissioner Van Beek indicated she is working for find someone to serve. At the last meeting there was discussion regarding rates, transfer station concept and landfill budget; new landfill rate suggestions will be brought to the Board during FY24 in order to have in effect for FY25. There was also discussion regarding concepts for a transfer station in relation to locations, how it would be used, structure (private, county owned, public/private concept); the committee would like to do 3rd party study to gain information from the community regarding need and use. The next quarterly meeting is scheduled for December if is needed.
- Director Loper has been working with Republic Services and Timber Creek about possibly taking some additional biosolids while issues between the private landfill between Boise and Mt. Home and DEQ are resolved.
- Property procurement is pretty much finalized. The Board directed Director Loper to work with legal regarding a possible lot line adjustment.
- Hardscape asphalt project will be started this week.

- Household Hazardous Waste event is taking place this Saturday.
- The Board is supportive of Director Loper providing a response letter sent to the BLM office and copied to the BOCC.

The meeting concluded at 12:06 p.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – TANNER VERHOEKS, OF HAVEN IDAHO, IS REQUESTING A CONDITIONAL REZONE OF PARCELS R28963, R2891010, R2891011 AND, R28961 FROM AN “A” (AGRICULTURE) TO CR-R-1 (CONDITIONAL REZONE – R-1 RESIDENTIAL) ZONE, CASE NO. CR2022-0005

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Tanner Verhoeks of Haven Idaho for a conditional rezone from an “A” (Agriculture) to “CR-R-1” (Conditional Rezone - R-1 Residential) zone, Case No. CR2022-0005. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, DSD Planner III Michelle Barron, Robbie Reno, Rick Brown, Tanner Verhoeks, Justin Ruthenbeck, Kyle Belknap, Samantha Hammond, Nathan Orchard, Isaac Josifek, Julia Ruis, Sue Marostica, Russ Mueller, Victor Marostica, Luis and Irene Chovalk, Ted Zahradnicek, Tom Zahradnicek, Jim Danes, Cynthia Atnip, Doug Stittsworth, Jeff Larsen, Bradley Smith, Kim Smith, Jo Dee Arnold, Keri Smith, and Deputy Clerk Monica Reeves. Commissioner Holton opened the hearing by telling the applicant, Tanner Verhoeks, that he sees significant material changes in the application that the P&Z Commission did not get to decide upon so he asked him to take the application back to the P&Z Commission. Tanner Verhoeks took a few minutes to discuss it with his team, and following that conversation he asked if the case could be scheduled immediately before the P&Z Commission. Deputy PA Zach Wesley said we have to make sure the noticing requirements are met for the P&Z Commission hearing, and DSD Planner Michelle Barron said November 2nd would be the earliest it could be scheduled. Mr. Verhoeks asked what the substantial changes were that Commissioner Holton referred to and in response, Commissioner Holton said two of the egregious ones dealt with the school and the water issues that the P&Z Commission did not have opportunity to hear. Justin Ruthenbeck said they want to respect the process the Board is trying to put in place and it makes sense to go through the process and try to do it right. There has been a lot of effort that went into making today's hearing happen so it is frustrating but if the Board thinks that is the best way to get the best decision made for the County then they are willing to go along with it. He asked if there will be a month's long delay after the P&Z Commission process. Commissioner Holton said it would not be that long, it would be much shorter. Mr. Ruthenbeck said they have questions about procedural issues and how the plat relates to the rezone request and they will discuss it with staff to see if it makes sense to change how that goes together. He said if the Board thinks it's better to take the application back then the applicant is comfortable tabling it. Commissioner Holton said it's his personal opinion it would better for the applicant. A member of the audience raised their hand to ask a question and Commissioner Holton said he is not comfortable taking questions from the audience, but said they could talk in the room afterwards but not on the record. Commissioner Brooks clarified that the Board cannot talk in the room

afterwards. Commissioner Holton concurred with Commissioner Brooks and then he made a motion that the Board not proceed with today's hearing because the applicant is volunteering to go back before the P&Z Commission with current information that they presented to the Board that the P&Z Commission did not get to consider and we are in agreement that this would be the best thing to do with this application. The motion was seconded by Commissioner Brooks and carried unanimously. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The proceeding concluded at 1:45 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 15, 2023

There were no meetings held today.

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 18, 2023

No meetings were held this day.

APPROVED CLAIMS

The Board has approved claims 598325 to 598358 in the amount of \$38,859.30

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$55,469.00 for the Fleet Department (PO #5763)
- Mountain Home Auto Ranch in the amount of \$42,064.00 for the Fleet Department (PO #5764)
- Sunroc in the amount of \$5,500.00 for the Parks Department (PO #5410)
- Kearsley Truck Lines, LLC in the amount of \$3,500.00 for the Parks Department (PO #5411)

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 19, 2023

The Commissioners attended the 2023 Treasure Valley Agriculture Ag Tour for Local Elected Officials and Media Ag Tour from 7:00 a.m. to 6:30 p.m.

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 20, 2023

APPROVED SEPTEMBER 22, 2023 PAYROLL

The Board has approved the September 22, 2023 payroll in the amount of \$2,367,377.53.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for

- Rick Hogaboam, Director of Constituent Services
- David Mcglathery, Hazardous Waste Screener
- Samantha Landis, Juvenile Detention Officer
- Irma Avila, Juvenile Detention Officer
- Tyson Ashby, Juvenile Detention Officer
- Ana Gallegos, Clerk III

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Commercial Tire in the amount of \$12,546.82 for the Solid Waste department (PO #5724)
- Les Schwab in the amount of \$12,215.21 for the Solid Waste department (PO #5725)
- Reading Truck in the amount of \$5078.46 for the Fleet department (PO #5765)
- CDW in the amount of \$3728.02 for the Information Technology department (PO #5777)
- Dell in the amount of \$11,223.98 for the Information Technology department (PO #5778)
- Dell in the amount of \$1538.24 for the Information Technology department (PO #5776)

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Raising Our Bar to be used 10/1/23, 10/6/23, 10/7/23, 10/12/23, 10/13/23, 10/14/23, 10/15/23, 10/17/23, 10/19/23, 10/20/23, 10/22/23, 10/27/23, 10/28/23 and 10/29/23.
- The Board approved Idaho Liquor Catering Permits for Clayton Silver Bar to be used 10/14/23, 10/28/23 and 10/28/23.
- The Board approved an Idaho Liquor Catering Permit for 3100 Cellars to be used on 10/14/23.
- The Board approved an Idaho Liquor Catering Permit for Eastside Tavern to be used on 10/7/23.
- The Board approved an Idaho Liquor Catering Permit for The Undiscovered Barrel to be used on 9/23/23.

- The Board approved an Idaho Liquor Catering Permit for Tower Grill to be used on 9/24/23.
- The Board approved an Idaho Liquor Catering Permit for Capitol Bar to be used on 9/23/23.
- The Board approved Idaho Liquor Catering Permits for Danelion Brewery to be used on 9/23/23 and 11/4/23.

APPROVED MINUTES

The Board approved the minutes for the May 2023 and June 2023 terms.

MEETING TO CONSIDER CERTIFYING LEVY RATES FOR TAXING DISTRICTS

The Board met today at 10:01 a.m. to consider certifying levy rates for taxing districts. Present were: Commissioners Leslie Van Beek, Zach Brooks and Brad Holton, Controller Zach Wagoner, Sr. System Analyst Steve Onofrei and Deputy Clerk Jenen Ross. Mr. Onofrei explained there are 61 taxing districts in Canyon County and the total amount to be levied this year at \$298.6M which is a reduction of \$12.8M. He then addressed the reasons for the reduction in the levied amount and how the levy rates operate.

Discussion ensued regarding the L-2 forms, revisions and workability.

The Board would like to see additional discussions/meetings regarding the effects of House Bills 389 and 292 and how tax bills will look different this year.

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to certify levy rates for taxing districts as presented (see resolution no. 23-209).

The meeting concluded at 10:23 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER AGENDA ITEMS

The Board met today at 10:31 a.m. to consider agenda items. Present were: Commissioners Leslie Van Beek, Zach Brooks and Brad Holton, HR Director Kate Rice, Compensation and Benefits Analyst Bosco Baldwin, HR Generalist Jennifer Allen, HR Generalist Kendra Elgin, Director of Misdemeanor Probation Jeff Breach (left at 10:41 a.m.), Administrative Supervisor Tara Hill, CCSO Financial Manager David Ivers (left at 10:41 a.m.), Controller Zach Wagoner (left at 10:41 a.m.), Sr. System Analyst Steve Onofrei (left at 10:41 a.m.), Deputy TCA Benita Miller (left at 10:40 a.m.), Chief Judicial Marshal James West (left at 10:40 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Resolution approving FY2024 compensation and employee salaries: Mr. Baldwin said that there is a \$53,610 difference from the information that was provided at the last presentation but today's document includes positions that have recently been filled which were previously vacant. He also spoke to how the calculations were done, a few budget adjustments, and any salaries over market rates were capped. Any employee hired or given a pay increase after August 1, 2023 were excluded from wage adjustments. Additionally, vacant positions were not included in the documents. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the FY2024 compensation and employee salaries. Payroll will be adjusted based off spreadsheet vs. individual status change forms. Changes will be reflected starting with the October 2, 2023 pay period (see resolution no. 23-210).

Employee appreciation days for FY2024: Commissioner Brooks said he has been evaluating previous appreciations days and supports giving the day after Thanksgiving and the day after Christmas as appreciation days. Commissioner Van Beek and Human Resources are supportive of these days. Commissioner Brooks made a motion to designate November 24, 2023 and December 26, 2023 as appreciations days. The motion was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 23-213).

Resolution adopting changes to one (1) Risk & Safety Manager job description, pay range and job title in the Human Resources department: This position was approved in the FY24 budget and will be an integral part of the HR staff and the county-wide safety culture. This position will also assist with safety and as the risk manager work closely with The Hartwell Group. Director Rice reviewed the salary and recruitment range; she would like to start recruiting immediately but the person will not start until after the beginning of the fiscal year. In response to a question from Commissioner Holton, Director Rice spoke about probationary periods and how Canyon County is an at-will employer. Commissioner Brooks made a motion to approve the resolution adopting changes to one (1) Risk & Safety Manager job description, pay range and job title in the Human Resources department and give the okay to HR to immediately post and begin recruiting for filling this position. Commissioner Van Beek seconded the motion. Commissioner Holton requested the motion include instruction for the job to not start until FY24. Commissioner Brooks amended his motion to include the information which was seconded by Commissioner Van Beek and carried unanimously (see resolution no. 23-212).

Resolution adopting changes to five (5) job titles and job descriptions in the Human Resources department: Director Rice explained that the term *HR Generalist* is an old term which will be changed to *HR Business Partner* and how this is a current, best practice. Additionally, the *Benefits and Training Coordinator* will be changed to a *Benefits and Training Business Partner*. There are no changes in salary, this is just a title change. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to adopt changes to five (5) job titles and job descriptions in the Human Resources department (see resolution no. 23-211).

The meeting concluded at 10:56 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY JOHN AND SHERRY ANDERSON FOR A CONDITIONAL REZONE FROM AN “A” (AGRICULTURAL) ZONE TO A “CR-M-1” (CONDITIONAL REZONE – LIGHT INDUSTRIAL) ZONE, CASE NO. CR2022-0024

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by John and Sherry Anderson for a conditional rezone from an “A” (Agricultural) zone to a “CR-M-1” (Conditional Rezone – Light Industrial) Zone, Case No. CR2022-0024. The request includes a development agreement. Present were: Commissioner Brad Holton (who subsequently recused himself from the hearing), Commissioners Zach Brooks and Leslie Van Beek, Chief Civil Deputy PA Carl Ericson, DSD Director Sabrina Minshall, Deputy PA Laura Keys, John Anderson, Sherry Anderson, Chuck Randolph, Denise Bittick, Lynn Bittick, Barbara Weaver, Susan Boyer, Cheryl Schmidt, Gene Weaver, Michael Collett, Mark Hammer, and RJ Walker, Brad Benke, Ryan Whittig, Stephen Jahn, Vivian Ferkin, Pat Warren, John Warren, Tyler Slate, Keri Smith and Deputy Clerk Monica Reeves. At the start of the hearing Commissioner Van Beek asked to adjourn into Executive Session to communicate with legal counsel:

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

Commissioner Van Beek made a motion to go into Executive Session at 1:31 p.m. pursuant to Idaho Code, Section 74-206(1) (f) to communicate with legal counsel. The motion was seconded by Commissioner Holton and carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Civil Deputy PA Carl Ericson and Deputy PA Laura Keys. The Executive Session took place in the Commissioners’ back hallway and concluded at 1:41 p.m.

While in open session, Commissioner Holton said there was a question about the Board’s procedure to go into Executive Session and so he asked Commissioner Van Beek if she voted affirmatively to go into Executive Session to which she responded “yes”, and he asked Commissioner Brooks if he voted affirmatively to go into Executive Session to which he responded “yes”. Commissioner Holton said he too voted affirmatively and the vote to go into Executive Session was unanimous. Commissioner Holton said upon legal counsel he will recuse himself from today’s hearing. He said the public finds it confusing that a person can be elected to two offices at the same time and that conflict of interest in the state code has to do with direct financial gain to him or his primary relatives. It would be impossible if not impractical to prove that, but he does not want to cause legal expense or harm to the County so in this case he finds it prudent to recuse himself even though he extremely disagrees with the allegation and he does not believe that the presenters of the allegation would be able to show factually how that could be manifest for him or his direct relatives but in light of trying to keep expenses down he will recuse himself. Commissioner Holton left the meeting room at 1:43 p.m.

Commissioner Brooks chaired the hearing. When asked if there were any declarations to be made, Commissioner Van Beek said there have been other land use decisions in this area on prior Boards, so she has some knowledge of the area because of that but she has not had any conversations outside of this hearing. Commissioner Brooks did not have any declarations.

DSD Director Sabrina Minshall gave the oral staff report. The applicants are requesting a conditional rezone of 48.17 acres from an “A” (Agricultural) zone to a “CR-M-1” (Conditional Rezone – Light Industrial) zone. On March 15, 2023, the Hearing Examiner recommended approval with the conditions in the proposed development agreement. On May 30, 2023 the Board held a hearing and directed staff to bring back FCO’s (findings of fact, conclusions of law, and order) for denial. The direction included scheduling a public hearing. The case was noticed and at the applicant’s request the hearing date was extended which is why there is a gap between the May 30 and September 20 hearing dates. Staff has provided draft FCO’s for denial. Thirty comment letters were received. The City of Greenleaf amended its letter of support of the request. This morning the applicant advised Director Minshall that we need to correct the record because one of the letters in the Board’s packet was not the updated letter from the City of Greenleaf dated September 1, 2023. It will be addressed when we get to the point of amending the FCO’s, it will be reintroduced and added as Exhibit #9, and we are making a point for the record that Exhibit #6k, which says it is the updated letter, is not the updated letter. The draft FCO’s contain some inaccuracies and when we get the point where the Board wants to adopt or amend those FCO’s staff will make the updates on the record and work with legal to make sure the points get clarified and bring the document back for final signature. There is an error in the FCO’s regarding the case citation and the acreage. Because at the last hearing the Board was entertaining denial and the Hearing Examiner had recommended approval, a second hearing was set. Director Minshall briefly reviewed the staff report, which will be entered as Exhibit #8. The property is located at 19372 Lower Pleasant Ridge Road in Caldwell and has historically been in agricultural use and has agricultural and light industrial uses surrounding it. There is a proposed development agreement. In the comprehensive plan for 2020 it was an industrial use, and 3 goals and 6 policies of the plan are generally consistent with the comprehensive plan. The property is located within the area of impact for Greenleaf. The City of Greenleaf originally submitted a comment after being notified of the rezone hearing on January 11, and after the May 2023 hearing the City submitted an updated letter. The current zoning is still agricultural, even though the longer term vision is industrial. Properties to the north and west are zoned M-1 light industrial, and the properties to the south and east are zoned agricultural. There is active agriculture and sporadic rural residential homes and active light-industrial uses within one mile of the perimeter of the property. She reviewed the uses in the area, soils information, maps, access, agency comments, public comments, and additional exhibits that have been submitted. Following Director Minshall’s report, she responded to questions from the Board.

The following people testified in support of the request:

John Anderson testified that he and his wife have resided on Lower Pleasant Ridge Road for 27 years, and in the Canyon County for nearly 61 years. They are requesting a conditional rezone that would allow ag-related businesses only. Mr. Anderson said the Board denied the rezone on May 30, 2023 based on the following concerns:

Is the proposed conditional rezone generally consistent with the comprehensive plan? The subject property has been included in the comprehensive plan for 28 years. The plan designated the strip of land between Hwy 19 and north of Lower Pleasant as light-industrial to save farmland south of

Lower Pleasant Ridge Road. Well known Idaho farmers such as Crookham, Wagner, Batt, and other members of the County's comprehensive plan workshop committee worked to ensure that farmland was protected in Canyon County, and they deemed that Lower Pleasant Ridge Road is the farmland preservation *boundary*.

When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation? In the new staff report the conclusions of law state it was not more appropriate; however, the Board based its findings on 38 acres which is not the subject property. (He assumes they were referring to the Weitz parcel.) The subject property is contiguous on two sides by eight previously approved light-industrial-zoned properties and businesses. There are 42 M-1 zoned parcels within a one-mile radius of the subject property. The rezone to M-1 makes better use of the ground and with their ag-related conditional use the rezone will benefit the area by creating jobs and services that can contribute to the future of farming in the area. The subject property does not fragment any production agricultural ground. The purpose of the M-1 zone is to provide for and encourage the grouping together of light-industrial uses capable of being operated under such standards as to location and appearance of buildings and the treatment of the land around them so that they will be unobtrusive and not detrimental to surrounding commercial or residential uses. Today there are light-industrial parcels established along the north side of Lower Pleasant Ridge Road. Two businesses located to the west are zoned light-industrial. With all the facts approved by the Board, a precedent has been set, the proposed conditional rezone is more appropriate than the current zoning.

Is the proposed conditional rezone compatible with surrounding land uses? The proposed conditional rezone is compatible with the surrounding land uses. With Heritage operating the Wilbur Ellis Company, Criterion, GAH Properties, R&M Steel, Two Dice, LLC, Dimco Ventures, SS Steiner, and Gayle Manufacturing at 54 acres for sale are all zoned M-1 off of Pinto and Lower Pleasant and borders the subject property.

Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts? As restricted by the development agreement, the proposed zoning map amendment will not negatively affect the area. They agree with the findings of fact, and the conclusions of law and order, Page 6, Item 4 findings except there is no productive farming on the east side of Pinto Road that borders the subject property.

Will adequate facilities and services including sewer, water, drainage, irrigation, and utilities be provided to accommodate proposed conditional rezone? At the time of development, a developer will follow the normal development process in compliance with all building codes by the Dept. of Water Resources, SWDH, Idaho Power, and all other state and local government regulations. The City of Greenleaf believes a complete application has been submitted for consideration by the County and that none of the City's recommendations for mitigation in the City's previous comment dated March 2, 2023 are necessary. (See Greenleaf's letter dated September 1, 2023, Exhibit 7, Item 5.)

Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts? A developer will be required to perform a traffic impact study per the development agreement when the land use has been determined. The developer, as mandated by the conditional rezone, will work proactively to meet any and all requirements of the state and local highway jurisdictions.

Does legal access to the subject property for the conditional rezone exist or will it exist at the time of development? The subject property has frontage and legal access from Lower Pleasant Ridge Road, a declared collector. Future development will be required to meet all access, approach and improvement requirements of Canyon Highway District.

Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire, and emergency medical services? What measures will be implemented to mitigate impacts? Essential public services should not be impacted. The subject property has met all the requirements per the City of Greenleaf. As discussed with the Caldwell Rural Fire Marshal, a water containment tank would be required. They do not see any problems with this area which is 4.5 miles from the fire department.

Mr. Anderson said they were told by seven DSD staff members that they would not recommend anything but an M-1 change for the subject property due to the fact this property has been in the comprehensive plan since 1995. They were never told they had to know what was going on the land; the application does not say anything about requiring this information. Staff members stated the land use worksheet was complete and they just needed a check. He would never have spent the money at the time had he known this was an issue, and there is no ordinance stating this. The County has put the Andersons in a financial hardship for not being forthcoming. Following his testimony, Mr. Anderson responded to questions from the Board.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to accept the letter from the City of Greenleaf as Exhibit 8.

Denise Bittick testified that she and her husband support John and Sherry Anderson's conditional rezone request. She believes the traffic accidents in the immediate area have been greatly exaggerated. According to the Local Highway Technical Assistance Council within the last five years there have only been 3 three accidents at the intersection of Hwy. 19 and Pinto Road. Two involved two cars and the third was a single car that ran off the road. At the intersection of Pinto and Lower Pleasant Ridge Road there was one accident that involved two cars. At the intersection of Pride and Lower Pleasant Ridge Road there have not been any accidents. There have also not been any accidents from Middle Road and Pride within the last five years. They have all been passengers cars; no semitrucks have been involved. In compliance with the National Highway Code, the local roads are suitable and capable for semitruck traffic. The approved 2020 comprehensive plan has the industrial corridor from Caldwell to Wilder. The plant area on the southside of lower Pleasant Ridge is to stay as agriculture, and from Hwy. 19 to Lower Pleasant it has been identified as M-1 since 1979. The Anderson property has been designated as M-1

because it is within the industrial corridor and because there is only 48% of the land that can be farmed. The Bitticks have lived here their entire lives, and they sympathize with the neighbors about not wanting the area to change, however, denying this request based on a timing issue is not right because the industrialization of the Hwy. 19 corridor has already been here. It is the right time to approve this rezone.

Sherry Anderson testified that the letter from the City of Greenleaf was identified as a late exhibit, but it was sent to staff on September 1, 2023, so it's not a late exhibit because it was here on time. Director Minshall said it's just the legal language of any exhibit that happens at the hearing or after the hearing - it's technically late. It was an oversight and has to be entered in the record.

Susan Boyer testified she is a retired manager for Edison International's Electric Utility Company and will provide factual testimony on infrastructure to the subject property. At the May 30, 2023 hearing the Board expressed concern over the lack of electric services available to the property in question. Keri Smith's testimony that there is no electricity service available for light-industrial business on the subject property is incorrect. Idaho Power can provide electricity, and the existing electrical load and infrastructure can provide one megawatt of electricity to the subject property. (One megawatt serves a Nampa Walmart Superstore.) The transmission line in front of the subject property is slated to be upgraded to twice its current load capacity. Idaho Power stated that exact electricity load can be provided once a developer determines their needs and that each developer is different in what they feel is a reasonable cost to bring service to a property. To state that a business that utilizes septic and sewer is not the kind of business this area deserves is assumptive and biased. Lower Pleasant Ridge Road is a collector, and the highway district has designated Pinto Road to be a future collector and Pride Road is a collector, and the future extension of it to Hwy. 19 is designated to make it a major collector connecting Hwy. 19 and Hwy. 55. These are not local roads are city streets, they are collectors and arterials and are designed and designated for heavy use by all types of motor vehicles.

Director Minshall was asked follow-up questions from the Board.

Sheryl Schmidt stated it's appalling that the staff report is inaccurate in noting the wrong case number and the incorrect property description; many incorrect references made to Weitz Road, which is not relevant to the property in question; and a key letter of approval from the City of Greenleaf was left out of the report. What guarantee is there that the findings and conclusions in the report are reflective of the property in question and not yet again the Weitz Road property? Per the audio minutes of the May 30, 2023 hearing Commissioner Van Beek was clearly confused as to where the subject property is located and continuously referred to Weitz Road. Ms. Schmidt feels that that the confusion and the allowance of testimony regarding Weitz Road directly resulted in a denial of the Anderson's conditional rezone request. Weitz Road is irrelevant; it is a mile away and would not likely be used by traffic coming from a business on Pinto Road or Lower Pleasant Ridge Road. In the Board's deliberation on May 30, Commissioner Van Beek stated the onus is on the applicant to bring enough burden of proof for the Board to render a decision to make that change. John and Sherry Anderson have provided numerous facts, not their personal opinions or false testimony. Various relevant agencies; the Hearing Examiner; the City of

Greenleaf; and others have all recommended approval. As seen by Commissioner Van Beek's comment in her deliberation speech, opposing testimony states there is no electricity, and the Board appears to accept that as truth, but it is a false statement. There was much assumption made that there will be increased truck traffic if a conditional rezone is approved. She said Commissioner Van Beek stated, "Don't know how you could add more traffic to these undersized roads." These are not undersized roads; they are collectors and Ustick is an arterial. Commissioner Van Beek brought up truck traffic on Weitz Road going south, but this is not about Weitz Road. Topography is not an issue on Pinto Road as repeatedly discussed with regard to Weitz Road. Commissioners Van Beek and Brooks both stated that their biggest concerns are not knowing what kind of M-1 use would come to this property. The neighboring agricultural to M-1 rezones were not required to produce a buyer and intended use before being approved. Ms. Schmidt said she cannot find a rule that states knowing the business use as a condition for a rezone, nor is a business use asked for in the County's application for a rezone. As a matter of fact, a 2,600-acre rezone was recently approved for Nampa and that request did not name every business use nor specific future traffic patterns, none of these things the Board is demanding be provided before an approved rezone for the Andersons. She said it's unfortunate the Board appears to be demonstrating process discrimination towards the Andersons rezone request. Commissioner Van Beek stated *"The Canyon County Board of Commissioners is a quasi-judicial body."* Judicial means you are supposed to base your decision on facts, not assumptions or personal opinions and agendas.

RJ Walker is a commercial real estate agent who is representing the Andersons in trying to procure a buyer for their property. People are frustrated by the lease rates and increased sales prices over the last few years especially in the industrial asset class. It's a supply and demand issue, and industrial lands and buildings will continue to be a strong market. The property is well situated to common trucking routes and its relation to Hwy. 19 and I-84 poses a great opportunity for manufacturers and other industrial users to purchase a piece of ground at a size not as easily found. The parcels have been slated to be zoned industrial in the comprehensive plan for two decades; 5 other parcels already zoned with industrial uses that neighbor their border. There have been concerns about the types of uses, traffic, and utilities, and those things were a primary factor for denial. It's a valid concern if there was a high-traffic user applying for the rezone. Any developer will have to go through a design review with the County and other agencies to figure out traffic flows and utilities. For all we know there could be an industrial user who buys ground and doesn't need city services or high enough traffic to constitute widening the roads or intersections. Our valley needs more industrial opportunities and denying this will only hurt supply and demand, but approval will make the market more friendly to local users.

Keri Smith provided neutral testimony. She lives within a few minutes of the subject property and she referred to her testimony at the previous hearing where she said she represented a developer who owned M-1 property approximately 1600 feet northeast of the subject property. She never said the property could not be served by Idaho Power; she said there was not enough power in the area to serve a higher use. Industrial development is significantly different than a Walmart Supercenter as far as power usage and demand. She has confirmed there is only one megabyte of power available. Mr. Anderson said that he would have an agricultural-type industrial user, that

would be similar to Fresca located in the Sky Ranch Business Park which uses 6-8 megabytes of power for that industrial development. There is not enough power to serve this area yet, so the timing is still not there. She referred to the drone footage in the record and said there is a clear industrial development pattern along Simplot Boulevard, and from the subject property down it is a very agricultural, rural in nature community with people who want to continue producing food and seed that provides food for the world. Ms. Smith said the Board did an excellent job deliberating on this case at the last hearing and the FCO's are excellent. The drone footage of the area was shown showing the agriculture that exists in the area.

The following people testified in opposition to the request:

Brad Benke lives on Upper Pleasant Ridge Road and his property extends from Upper Pleasant Ridge Road to directly across Lower Pleasant Ridge Road from the Anderson property. He is representing neighbors who strongly oppose the rezone. Mr. Benke has farmed in the area for 40+ years and has expertise in building highways, city roads, commercial buildings, and the infrastructure that is required to support light industrial growth. He is chairman of the board for the Pioneer Irrigation District that serves the property and has experience in managing the impact of growth this valley has gone through regarding land demand, water use, and increased traffic. He addressed 3 of the 4 findings the BOCC used to make decisions on:

When the 2020 comprehensive plan was set in place it designated this property as possible light-industrial, but growth and markets have changed since it was done. The area remains heavily agricultural with five of the largest farmers in this area farming around the land adjacent to the subject property or within a half-mile of the property. This property has been farmed since it was taken out of sagebrush and everything directly across from Pinto Road to the east, south of the Weston Drain, but north of Lower Pleasant Ridge Road is rural residential with several large parcels of farm ground. To the south all the parcels are farm ground or rural residential clear to the Snake River. To the west there are two parcels that were zoned light industrial just recently but then it turns back to farm ground and rural residential all the way to Greenleaf and beyond. The economic development offices of both Caldwell and Nampa are seeing the demand for light-industrial; they are wanting 30-foot-tall concrete tilt-up wall buildings like you see along the freeway that have the infrastructure in place before they purchase or lease the property and having these taller buildings with more people and traffic in the area will be detrimental to the livelihoods of the farmers, aerial applications, ground spraying, and moving equipment from field to field would be negatively impacted. The rezone is not more appropriate than the current zoning designation. Idaho Power provides power as a parcel and a farm with a house on it. Without knowing what type of business going in does Idaho Power have the ability to up-service the electrical power? Nampa and Caldwell have both stated the electrical and gas companies want larger complexes where they can effectively and efficiently provide their utility service in these zones. This property is unique with an artesian well and two drainage systems, both of which require a 110-foot easement from the center of the drain that can never be built on. The Weston Drain is also a federally designated waters of the U.S. drainage system by the Bureau of Reclamation and it could be compromised with any type of light industrial hiccup. Water and sewer is another major issue, and the only option is for the City of Greenleaf to provide water and sewer. The cost of plumbing

water and sewer over 2.5 miles for one parcel will be cost prohibitive. Another negative factor would be the ability to install a sewer line far enough the drain would require one or two lift stations. County roads are not capable of handling increased traffic that more light-industrial businesses will bring in the area. The highway district is concerned about the increased traffic that the sand and gravel pits north of Hwy 19 and Gayle Manufacturing have already placed on the roads, but the district remains neutral until they know what kind of business will go on the property. He submitted a video of truck trying to make a perfect turn and said they have to go across opposing traffic. Caldwell has moved in another direction to create an effective light-industrial zone where new businesses can come in and have rail, freeway, sewer, water, roads, utilities in place. The urban renewal development program has developed a successful plan to develop light industrial zones that have been proven to work and they have just completed the development of a 400-acre Sky Ranch industrial area and are finishing up on a 114-acre north ranch area. They have picked these spots because they can consolidate and annex these areas into the city, have freeway and rail access and the ability to provide water, sewer and power and are able to build new roads to handle the increased traffic before they sell the properties. Nampa has done the same thing by pushing all light industrial development north of the freeway around the sugar beet and cheese factories. Mr. Benke said the property has been listed for sale for over three years, and he referenced a market report addressing supply and tenant vacancies. Mr. Benke's farm consists of four smaller parcels that were purchased separately. This property has always been zoned agriculture and the area around it is agricultural, and there are over 50 houses and hundreds of acres of farm ground - why put the community through this pain for one piece of light-industrial property when it will be an island all to itself with no infrastructure to support it? Following his testimony, Mr. Benke responded to questions from the Board.

Ryan Whittig testified that he lives and farms in the area, and he farms all of Brad Benke's property. He has testified many times about the effects rezones can have on agricultural production and he agrees with the testimony given by Brad Benke. He understands roads can be widened and more power can be brought in, but they are not making more farm ground to grow our food. His family has been a part of agriculture for well over a century in this area and he does not want to see farmland covered with buildings.

Vivian Ferkin lives directly across from the subject property, and she testified there are farmers who wanted to be here today, but they are actively farming and are unable to attend the hearing. This decision will impact their livelihood and their ability to continue farming. She said 80% of the letters of support are from people who are not impacted by the rezone, but those in opposition are locals and will be directly impacted. Exhibit H is a petition signed by those in opposition who do not support the M-1 rezone but they do support a continued use of agriculture or rural-type ranchette development, which the Andersons discussed at the neighborhood meeting. In the minutes of the May 30, 2023 hearing, John Anderson stated that according to the neighborhood petition dated March 10, 2022, the community is not opposed to the zone change but they are not in agreement with the County's proposed use of light industrial. This is incorrect as all who signed the petition were opposed to the M-1 light-industrial zone change. The findings state that Caldwell Rural Fire responded with comments regarding utilities access, water supply and emergency response times being affected due to the remote distance to the fire services. There

is no evidence of how the measures will be implemented to mitigate the impacts and because there is no information regarding a use at this time we do not have an accurate picture or information as to the impact of the rezone nor the opportunity to place appropriate conditions of approval that could mitigate potential unknown impacts.

John Warren lives on Upper Pleasant Ridge Road and said years ago you were able to divide your property five (5) times without subdividing, and then the Board decided it was three (3) times. Right now, one of their problems is they cannot sell it either way, they cannot get enough out of it in a large chunk and there is a chunk of it that's already taken off. It's up to the Board to decide whether to go with 5 splits on the property; if they did they would be able to sell it off like rural residential. He concurs with his neighbors. They could break it off into five parcels and keep it as agricultural and they could farm in between.

Rebuttal testimony was offered by John Anderson who stated regarding the available electricity, their information came directly from Idaho Power related to their property. The property to the west is zoned M-1 and has never been turned back to agriculture, but there is corn growing there for dust abatement. The Weston Drain will not be disturbed per building ordinances. The Assessor's Office stated that buyers are looking for older rural properties. Regarding the Holcomb Drain, the neighbors have never cleaned it, Mr. Anderson has lived there for 27 years and he has cleaned it when needed.

Director Minshall clarified the question related to the parcel on Weitz Road. During the discussion at the Board's hearing on May 30, 2023, there was a period of time where there was confusion on where the access was and it was clarified by Planner Dan Lister. On the Hearing Examiner's staff report, those draft findings which were originally in the affirmative, and the staff report on May 30, 2023, that came to the Board, and the staff report language in on September 20, 2023, the correct acreage of 48.17, was referenced. The acreage was incorrectly referenced as 38 acres in the draft FCO's which have not been adopted yet, but they will be corrected if the Board adopts them. The record all the way through has been the correct acreage. Also, the record all the way through has the correct case number with the exception being where they were simply summarizing the record that it listed 0013, when it should be 0024. Those will be corrected. The discussion of the location, the address, and the sizes was consistent throughout the record. Director Minshall provided clarification on the zoning map showing surrounding land use. To the west is industrial and to the east is still agriculture. She summarized the late exhibits as follows: Exhibit 8 is the updated Greenleaf letter; Exhibit 9 is the staff presentation report, extremely similar, the only update from the May 30, 2023, report was the language and the history slide; and Exhibit 10 is a real estate report referenced in Brad Benke's testimony. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to accept the late exhibits: Exhibit 9 staff report presentation with the noted changes, and Exhibit 10, which is the TOK industrial market report.

Commissioner Brooks asked Brad Benke to respond to questions regarding the drain that goes through the property. Mr. Benke said if they wanted to make any changes they would have to apply through the Pioneer Irrigation District and the district would look at how to design it and

what the cost would be. They could not build anything on 55 feet on either side because it's a federal easement.

John Anderson said there was research done on the open drain and they could re-route that if it was necessary. It's possible to put a fabric on the banks with pea gravel to get the same effect but you can cover it.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. The Board's deliberation was as follows:

Commissioner Van Beek said the applicants have provided a development agreement that has restricted a lot of activity on this property. This area is unique because it has agriculture, residential and industrial. It's a mitigation process of what is the right thing for the character of that area. The Board reviewed the conditional rezone criteria:

When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation? Commissioner Van Beek said when you have production agriculture with high yields, she doesn't know how changing the zoning helps the agricultural community. The future land use designation is industrial and there is support for that industrial use. Mr. Benke referenced a market report where industrial businesses are concentrated in a targeted area, so they are shovel ready, but this is not what is happening in developments that are approved in the County with competing interests. We do not know what will go in there. Commissioner Brooks said he has the same concern as he did at the last hearing in terms of not knowing what's going in. He feels like part of that has been mitigated where there is a development agreement with everything listed that could be conditioned and he would be comfortable in not knowing ahead of time. Further discussion ensued about the proposed development agreement and the uses that would not be permitted as part of this condition, and the ones which could be permitted through a conditional use.

Will adequate facilities and services including sewer, water, drainage, irrigation, and utilities be provided to accommodate proposed conditional rezone? Commissioner Van Beek doesn't know what the use is or if there is discharge and she has no jurisdiction over the Bureau of Reclamation or the irrigation drain. Commissioner Brooks said our current finding says *we don't know because we do not know what's going in*, so it's speculative. Commissioner Van Beek said it helps when applicants bring a known potential purpose for the property. Commissioner Brooks said the Board concurs with the finding that the accommodated use is speculative; we are not sure yes or no.

Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts? Commissioner Van Beek said it will be challenging to keep traffic flowing toward Hwy. 19, and it will increase transport time. Director Minshall said the Board could add a condition of the concern of where it is accessed, but ultimately that access is still the jurisdiction of the highway district. There is some general language in the original proposed conditions. Commissioner Brooks said if it is approved it's still on whoever the owner is that comes forward with an application for what they are actually going to be there to make the rural fire district happy. It will in some ways limit what would be available there. Commissioner Van Beek said if it was an area that did not have production

agriculture adjacent to it this would be easier and we could mitigate that. Commissioner Brooks said even if the Board changes this there is so much going on especially with the drain going through the middle of the property, and the question about services and the development agreement, he is not confident there will be much option for anything to go there in the first place which means it would still continue to be farmed much like the M-1 around it. Commissioner Van Beek said if the Board doesn't make a timely decision that ground will go to weeds and will be unsightly. She has not heard enough to persuade her to change the zoning designation. She recognizes and supports that this is an area where industrial should go but there are still a lot of competing interests. Commissioner Brooks asked her how she rectifies that both the Greenleaf comprehensive plan and the County's comprehensive plan lists it as industrial. Commissioner Van Beek said there are competing interests out there and the Board's job is to look at the impact of the change and evaluate whether it will change the area on the south side of Hwy. 19. The rezone looks premature to her. There was discussion amongst the Board, Director Minshall, and Deputy PA Keys on how to prepare the FCO's if there is a split vote (a one-to-one vote), which would be a denial.

Commissioner Van Beek made a motion to deny Case No. CR2023-0024, a conditional rezone on parcels R36368 and R36368011, approximately 48.17 acres from an "A" (Agricultural) zone to a "CR-M-1" (Conditional Rezone – Light Industrial), including the conditions of the development agreement. Commissioner Brooks seconded the motion for discussion. Director Minshall said the motion should include the draft FCO's with either a dissention or an agreement just to make sure it is reflected in the record. Commissioner Van Beek withdrew her motion and then made the following motion: To deny Case No. CR2023-0024, a conditional rezone of 48.17 acres because at this time the proposed conditional rezone is not more appropriate than the current zoning designation of agricultural; and there is an uncertainty that adequate services will be provided because we don't know the use and we don't know what the transportation needs will be and other things required to expand the industrial corridor there. There will be traffic impacts for the farmers on mobilization of equipment and aerial applications in that area with increased density whether its residential or industrial, and there is still an argument that on an industrial property where there are Bureau of Reclamation irrigation concerns the ability to mitigate those concerns and provide adequate services for fire under the fire code. She does not have an understanding of how to mitigate those impacts at this time. Commissioner Brooks seconded the motion for discussion. He is of the opinion that FCO's can be generated to alleviate his concerns for criteria Nos. 5, 6, and 8, but he is unsure of criteria No. 2. He cannot use the fact that the designations in both the area of impact of Greenleaf and the County comprehensive plan both have this as an area of transition to M-1 so as far as stating that this is more appropriate, preponderance of proof being borne by the applicant, he cannot say definitively that it is more appropriate. Commissioner Van Beek said one of the questions she asked was if the properties that were zoned industrial if there was demand in that particular area for M-1, those properties are available and they are not at capacity and if Greenleaf wanted to generate an urban renewal area they could potentially find support for that they could potentially clean that area up and make that look like some of the other industrial corridors that do accommodate. The motion carried unanimously. Director

Minshall will bring back the FCO's for the Board's consideration. The hearing concluded at 4:16 p.m. An audio recording is on file in the Commissioners' Office.

ATTEND RIBBON CUTTING CEREMONY FOR FEDERATED ORDNANCE

The Board attended a ribbon cutting ceremony for Federated Ordnance, located at 1906 Smeed Parkway in Caldwell, Idaho.

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 21, 2023

APPROVED CLAIMS

- The Board has approved claims 598712 to 598740 in the amount of \$74,674.04
- The Board has approved claims 598549 to 598590 in the amount of \$12,847.58
- The Board has approved claims 598505 to 598548 in the amount of \$523,069.38
- The Board has approved claims 598776 ADV in the amount \$445.91
- The Board has approved claims 598741 to 598775 in the amount of \$9,985.97

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- BOE in the amount of \$9280.00 for the Information Technology department (PO #5780)
- BOE in the amount of \$6181.86 for the Information Technology department (PO #5781)

COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Amber Walker.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Dalton Kelley, Criminal DPA I
- Shireen Rezaei, Criminal DPA I
- Edmy Vega, Deputy Public Defender I
- Steven Higgins, Director of Information Technology
- Brett Lahey, Housekeeper – Floor Care
- Chad Shumaker, Maintenance Technician
- Demi Etheridge, HR Business Partner
- Jennifer Allen, HR Business Partner
- Cindy Lorta, HR Business Partner
- Kendra Elgin, HR Business Partner

- Nicole Ahlstrom, Benefit and Training Business Partner

CONSIDER FINAL PLAT FOR HESSE ACRES

The Board met today at 9:15 a.m. to consider a final plat for Hesse Acres. Present were: Commissioners Leslie Van Beek and Brad Holton, Principal Planner Debbie Root, Representatives for Hesse Acres and Deputy Clerk Jenen Ross. Ms. Root provided a brief overview stating that they have been approved for 9 residential lots, a common lot and a private road. They've received all the signatures on the final plat mylar and have met the conditions of the preliminary plat requirements; the final plat is ready for Board signatures. Commissioner Van Beek made a motion to sign the Hesse Acres, Case no. SD2023-0003, final plat as presented by DSD staff. The motion was seconded by Commissioner Holton and carried unanimously. The meeting concluded at 9:17 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Coroner Jennifer Crawford (left at 9:35 a.m.), Controller Zach Wagoner (left at 9:59 a.m.), HR Director Kate Rice (left at 10:01 a.m.), Chief Deputy Sheriff Doug Hart (left at 9:59 a.m.), EOM Christine Wendelsdorf (left at 9:59 a.m.), Emergency Technical Services Manager Kim Dickson (left at 9:59 a.m.), Cpt. Harold Patchett (left at 9:48 a.m.), Lt. Travis Engle (left at 9:48 a.m.), Cpt. Ray Talbot (left at 9:59 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Agreement for Pathology Services between Owyhee County and Canyon County: There is very little change from the previous agreement with the only real change is the charge for x-rays if needed during the autopsy. Everything else remains the same. Mr. Ericson and Coroner Crawford addressed Commissioner Van Beek's questions. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the agreement for pathology services between Owyhee County and Canyon County (agreement no. 23-127).

Consider Renewal with Delta Dental of Idaho: The only change is a 3% increase from \$4.91 to \$5.06 per month, per employee. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the renewal with Delta Dental of Idaho (agreement no. 23-126).

Consider Level Agreement with Preventative Health: This is the same agreement as last year where the majority of the costs are billed to the insurance company. The only time there is cost to the county is if there are not enough participants at the health fair or if the county cancels. Upon the

motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the level agreement with Preventative Health (agreement no. 23-125).

Consider Resolution Authorizing Transfer of Money from Inoperative Fund Pursuant to Idaho Code Section 31-1508: As discussed in a previous meeting, this is to transfer monies from the inoperative indigent fund to the general and tort funds. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution authorizing transfer of money from inoperative fund pursuant to Idaho Code section 31-1508 (resolution no. 23-214).

Opening of Inmate Phone/Tablet Services and Equipment Information Packages Received:

The following six responses were received:

- CTel
Received September 14, 2023
- ViaPath Technologies
Received Sept 20, 2023
- HomeWav
Received September 20, 2023
- ICSolutions
Received September 20, 2023
- NCIC Warehouse
Received September 20, 2023
- Crown Correctional Telephone, Inc.
Received September 20, 2023

Consider Memorandum of Understanding for Delivery of Technical Support & Direction by Canyon County IT Director to Canyon County Emergency Technical Services: Chief Hart and Director Rast provided background on this project and how this provides a solution so that efforts between CCSO and CCIT aren't duplicated. Mr. Rast spoke about how the MOU will provide back-up to the 911 system, provides privileges, and consolidation of helpdesk services along with several other benefits. There is a \$10,000 salary differential added to the CIO position as specialty pay for this additional duty. Additionally, Mr. Rast explained how the MOU clearly outlines the responsibilities of each party. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the MOU for delivery of technical support & direction by Canyon County IT Director to Canyon County Emergency Technical Services (agreement no. 23-124).

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 10:01 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 Holton and carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, and COO Greg Rast. The Executive Session concluded at 10:10 a.m. with no decision being called for in open session.

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

PUBLIC HEARING - APPEAL BY BRISTLECONE LAND USE CONSULTING, REPRESENTING JC EXCAVATION, LLC, FOR A CONDITIONAL USE PERMIT TO ALLOW FOR A STAGING AREA, CASE NO. CU2023-0002-APL

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of an appeal by Bristlecone Land Use Consulting, representing JC Excavation, LLC, of the Planning & Zoning Commission's decision regarding the denial of Case CU2023-0002 a conditional use permit to allow a Staging Area use within an "A" (Agricultural) Zoning District, Case No. CU2023-0002-APL. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner III Michelle Barron, Deputy PA Zach Wesley, Elizabeth Allen, Juan Carlos Nieves, Joe Palmer, other interested citizens, and Deputy Clerk Monica Reeves. Before opening the hearing, Chairman Holton addressed the applicant and their representative regarding his concern that part of Elizabeth Allen's documentation makes the allegation that the P&Z Commission deliberation process was unfair and that the applicant was not part and parcel of that and that Ms. Allen felt that it came to a different conclusion than if she was involved. He is uncomfortable having the Board hear the case under that precept, knowingly taking a faulty work product from the P&Z Commission and having a hearing on it. Elizabeth Allen said her representation is going to be on the findings the P&Z Commission made; they made comments during their deliberations that she will review, that they could condition it but they didn't have time so instead of reverting it back for staff, the applicant, and the Commissioners to come up with conditions they ended it, but they stated that after they closed public testimony. Chairman Holton uncomfortable proceeding if she feels the process was unfair to her applicant. Ms. Allen said she believes they followed the hearing process, but the comments made during the hearing process were not how a Commissioner should professionally handle a hearing. Chairman Holton does not want to knowingly go into a hearing when Ms. Allen is saying it seems to have been flawed at the P&Z Commission level. Commissioner Van Beek said if the information wasn't presented in coherent way that's not on the P&Z Commission. Ms. Allen said if the Board feels more comfortable with it going back to the P&Z

Commissioner she and her client respect that, or, she can remove that portion of her testimony and just cover the criteria that the Commission found. Commissioner Van Beek would like to discuss the issue in Executive Session with legal counsel, which was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 1:36 p.m. pursuant to Idaho Code, Section 74-206(1) (d) records exempt, and (f) to communicate with legal counsel. The motion was seconded by Commissioner Brooks. Commissioner Holton asked the Commissioners for their vote and Commissioner Van Beek said her vote is “yes”; Commissioner Brooks said his vote is “yes”; and Commissioner Holton said his vote is a “yes” to go into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner III Michelle Barron, and Deputy PA Zach Wesley. The Executive Session, which took place in the Commissioners’ breakroom, concluded at 1:44 p.m.

While in open session, Chairman Holton said after conferring with legal counsel it is the Board’s request that the case back to the P&Z Commission and that they more wholly flush out the possible conditions that would be able to be considered. Ms. Allen said that is appropriate. Chairman Holton said with that agreement the Board will vacate the appeal scheduled for today. Michelle Barron said the earliest the case could be heard by the P&Z Commission would be November 16, 2023, as a new hearing, a new application. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to remand the appeal of the P&Z denial of Alejandro Jimenez for a staging area, Case No. CU2023-0002, to November for a new hearing to more fully consider the evidence. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 1:47 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners’ Office.

SEPTEMBER 2023 TERM
CALDWELL, IDAHO SEPTEMBER 22, 2023

APPROVED CLAIMS

- The Board has approved claims 598620 to 598649 in the amount of \$21,408.06
- The Board has approved claims 598688 to 598711 in the amount of \$12,359.00
- The Board has approved claims 598359 to 598397 in the amount of \$95,560.33
- The Board has approved claims 598398 to 598440 in the amount of \$121,792.97
- The Board has approved claims 598441 to 598462 in the amount of \$100,661.14
- The Board has approved claims 598463 to 598504 in the amount of \$106,272.89
- The Board has approved claims 598591 to 598619 in the amount of \$102,820.61
- The Board has approved claims 598650 to 598687 in the amount of \$217,930.73

- The Board has approved claim 598777 in the amount of \$1,746.00

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Van Lith Ranch to be used 9/30/23 and 10/1/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Best Buy in the amount of \$4201.85 for the Information Technology department
- Dell in the amount of \$1899.36 for the Information Technology department

ACTION ITEM: CONSIDER NOTICE OF PUBLICATION OF FY2023 BUDGET ADJUSTMENTS

The Board met today at 9:45 a.m. to consider a notice of publication of the FY2023 budget adjustments. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Controller Zach Wagoner, Emergency Manager Christine Wendelsdorf, and Deputy Clerk Monica Reeves. Controller Wagoner reviewed the following accounting budgetary adjustments to open and increase the FY2023 budget:

Emergency Management: \$25,000 increase for the development of a regional incident management team.

General Department: \$10,000 increase for transcripts and general operating costs.

Treatment Courts: \$60,000 increase for testing and operational costs to support self-funded treatment court operations.

County Extension: \$11,000 increase for compensation costs associated with the payout of accumulated vacation time.

Landfill: \$2,482,800 increase for capital investments including the acquisition of real property and a scraper to ensure ongoing effective landfill operations.

Office/Department	FY 2023 Adopted Budget	FY 2023 Budget Adjustment	FY 2023 Amended Budget
Emergency Management	\$ 209,777	\$ 25,000	\$ 234,777
General	\$ 647,888	\$ 10,000	\$ 657,888
Treatment Courts	\$ 489,820	\$ 60,000	\$ 549,820
Landfill	\$ 11,092,131	\$ 2,482,800	\$ 13,574,931
County Extension	\$ 339,331	\$ 11,000	\$ 350,331
Total		\$ 2,588,800	

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the notice of hearing to publish the adjustments to the 2023 budget as presented by Controller Wagoner. The Board will meet on October 3, 2023 at 10:30 a.m. to

receive comment on the proposed fiscal year 2023 budget adjustments. The meeting concluded at 9:52 a.m. An Audio recording is on file in the Commissioners' Office.

ELECTIONS OFFICE EQUIPMENT DEMONSTRATION

The Board attended an equipment demonstration this morning from approximately 11:10 a.m. to 11:45 a.m., at the Canyon County Elections Office. The demonstration was not a Commissioner meeting and there were no motions, action items or Board direction entertained or given.

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 25, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- WBS in the amount of \$3445.20 for the Facilities department (PO #5753)
- Corwin Ford in the amount of \$45,995.00 for the Fleet department (PO #5766)
- Caxton's in the amount of \$5111.02 for the Trial Court Administrator (PO #5205)

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 11:31 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, HR Director Kate Rice, HR Business Partner Kenda Elgin, Benefit and Training Partner Nicole Ahlstrom, Salary and Compensation Analyst Bosco Baldwin, HR Business Partner Jennifer Allen (arrived at 11:34 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The HR staff left the meeting at 11:40 a.m. The action items were considered as follows:

Consider signing resolution to change maximum vacation leave balance accruals and payout; and changes to the Canyon County Employee Handbook, section 5.0: With this change, accrued vacation balances over 240 hours will no longer reset at the start of the new fiscal year and employees will be able to carryover balances. If an employee leaves employment for any reason they will only be paid out a maximum of 240 hours no matter how many hours are accrued. This change will also eliminate the need for sick to vacation time conversions. Changes to section 5.0 of the Employee Handbook now more clearly define the sick leave payout, bereavement policy and physician note policy. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution to change maximum vacation leave balance accruals and payout; and changes to the Canyon County Employee Handbook, section 5.0 (see resolution no. 23-215).

Consider resolution approving a new alcoholic beverage license for Coffee Cup Café: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted

unanimously to sign the resolution approving a new alcoholic beverage license for Coffee Cup Café (see resolution 23-217).

Consider resolution granting a new alcoholic beverage license to Barley Pops: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving a new alcoholic beverage license for Barley Pops (see resolution 23-216).

The meeting concluded at 11:45 a.m. and an audio recording is on file in the Commissioners' Office.

A majority of the Board attended the Idaho Association of Counties Annual Conference

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 26, 2023

A majority of the Board attended the Idaho Association of Counties Annual Conference

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 27, 2023

A majority of the Board attended the Idaho Association of Counties Annual Conference

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 28, 2023

APPROVED CLAIMS

- The Board has approved claim 598778 ADV in the amount of \$51.75

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Young Elevator in the amount of \$25,200.00 for the Facilities department (PO #5756)
- WBS in the amount of \$3,351.48 for the Facilities department (PO #5755)
- Northwest Power Systems in the amount of \$16,479.94 for the Facilities department (PO #5754)
- Intermountain Wood in the amount of \$1873.55 for the Facilities department (PO #5758)
- Intermountain Wood in the amount of \$1481.88 for the Facilities department (PO #5757)
- AAA Cow Comfort in the amount of \$1495.58 for the Facilities department (PO #5761)
- ACCO in the amount of \$7,120.00 for the Facilities department (PO #5759)

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for County Line Wine to be used 10/7/23, 10/14/23, 10/14/23, 10/21/23, 10/21/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change forms for

- Scott Hillman, Asst. Building Official
- Dan Lister, Principal Planner
- Alexa Medema, Senior Staff Attorney
- James (Jim) West, Chief Judicial Marshal

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. Oscar Klaas (left at 9:34 a.m.), Deputy P.A. Zach Wesley (left at 9:34 a.m.), Deputy P.A. Laura Keys (left at 9:34 a.m.), Controller Zach Wagoner and Deputy Clerk Jenen Ross.

The following topics were addressed by legal:

- In regard to the letter that was received regarding the Weed and Gopher department, Mr. Klaas said he would draft a response letter.
- A drill permit letter was recently received and it appears to have stemmed from a test well that will be drilled by DEQ at the Anderson Corner property.
- Zach Wesley said oral arguments will start tomorrow on the Peckham Rd. Trust case in Judge Petty's courtroom.

The action item was considered as follows:

Consider approving fiscal year 2023 operating transfers and reimbursements: Controller Wagoner explained that there are certain county entities that reimburse others and the best way to do that is thru an accounting journal entry. The transfers are as follows:

- Cigarette tax money for juvenile justice functions; initial deposit of those monies is into the Juvenile Probation department.
 - \$15,000 allocated to Juvenile Detention and \$5000 allocated to the Juvenile Drug Court
- Landfill Enterprise fund; the county provides many services to the landfill which are reimbursed by the landfill. Transfers are as follows:
 - \$1,696,440, Misc. professional services
 - \$1,498,000, Other misc. charges and fees

- o \$163,440, Landfill work release program
- o \$35,000, Other misc. charges and fees (Parks and recreation fund for Jubilee Park)

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the fiscal year 2023 operating transfers and reimbursements (resolution no. 23-218).

The meeting concluded at 9:41 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:30 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, Case Manager Jenniffer Odom and Deputy Clerk Jenen Ross. Matters were considered as follows:

Case no. 2009-589: Obligation to the county has been satisfied. Commissioner Van Beek made a motion to sign the release of lien. The motion was seconded by Commissioner Brooks and carried unanimously.

Case no. 2023-75: Following the investigation by indigent services there appears to be sufficient funds available for cremation. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a denial on the case.

Case no. 2023-74: The decedent for this case passed on September 15th and it appears he was traveling thru Idaho but is from Florida. Commissioner Van Beek made a motion to deny the case based on the inability to establish residency. The motion was seconded by Commissioner Brooks and carried unanimously.

Appealed Case no. 2023-73: Indigent Services were unable to establish residency and that it appears there are assets that could be sold to settle costs with the funeral home. Commissioner Van Beek made a motion to deny based on the inability to establish a 30-day residency required by statute and there were assets that were identified in that process, there is a double hit where it does not allow for approval. Commissioner Holton thinks that if the Coroner's Office is in possession of firearms and it's a possibility that the Treasurer can liquidate them that, in the event that's able to happen, that any value that that is could be applied to the bill. Commissioner Van Beek amended her motion to include the chairman's suggestion of liquidating those assets. Mr. Klaas stated that he doesn't believe there is really a claim for the county to ownership of the firearms. The desire is to possibly return the firearms but measures need to be taken to ensure they are returned to the correct person or the heir of the estate. With this clarifying information, Commissioner Van Beek withdrew her motion. In response to Commissioner Van Beek's question about suspending a decision, Mr. Klaas feels that the Board has a clear lack of jurisdiction to be able to consider the indigency matter; the Coroner will take in property for a decedent when they

respond to some of these matters. He thinks there is an ability to make a motion on the indigency application itself today and the property issue can be worked out without the indigency case being open. Director Baker concurred with Mr. Klaas stating that there are residency issues as well as assets, she feels a decision can be made on the burial application regardless of the assets. Commissioner Van Beek made a motion to deny the request for cremation for case no. 2023-73 based on no establishment of residency which is required by state statute and assets were identified that belong to the decedent. The motion was seconded by Commissioner Brooks. Mr. Klaas suggested that the motion be limited to just the residency and not the assets as they are being left on a separate process; the cleanest avenue is that there is no residency established. Commissioner Brooks withdrew his second of the motion. Commissioner Van Beek withdrew her motion. Commissioner Van Beek made a subsequent motion on case no. 2023-73 to deny the appeal request by the funeral home based on a lack of established residency. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider agreement with Computer Arts, Inc. for Indigent Services/Board of Community Guardians:

Ms. Baker explained this is the annual master agreement and that the software is used for Medical Indigency and Board of Community Guardians. This is a standard agreement and it has been reviewed by legal. There are no changes to the agreement other than the cost. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with Computer Arts, Inc. for Indigent Services/Board of Community Guardians (agreement no. 23-128).

The meeting concluded at 10:49 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER AN ACTION ITEM

The Board met today at 10:53 a.m. to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Engineer Devyn Krasowski, Permit Supervisor Cassie Lamb, Sr. Administrative Specialist Pam Dilbeck, Code Enforcement Officers Katie Phillips and Gary Westerfield and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider final plat for Hidden Legends Estates, Case No. SD2023-0007: The applicant has completed all the steps and the final plat has been signed by all relevant agencies. Mr. Krasowski addressed Board questions and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the final plat for Hidden Legends Estates, Case no. SD2023-0007.

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:58 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur, Permit Supervisor Cassie Lamb, Sr. Administrative Specialist Pam Dilbeck, Code Enforcement Officers Katie Phillips and Gary Westerfield and Deputy Clerk Jenen Ross.

The Board considered certificates of noncompliance for the following properties:

- 4422 E. Locust Ln, Nampa (R29086)
- 15271 S. Florida Ave, Caldwell (R32836)
- 8545 Happy Valley, Nampa (R29740010)

Per Officer Westerfield the above cases have all been non-responsive with no substantial progress. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to issue certificates of non-compliance on the above listed properties.

- 15680 Longhorn (R21772)

Officer Phillips provided a review stating that the property owner has been non-responsive. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to issue a certificate of non-compliance on the above listed property.

- 1609 S. Robinson, Nampa (R30692)

Officer Westerfield said that it appears there is some kind of commercial activity happening at this property. Commissioner Van Beek made a motion to issue a certificate of non-compliance. The motion was seconded by Commissioner Brooks and carried unanimously.

- 4880 Meadowlark Ln, Nampa (R30430102)

Ms. Lamb spoke about several violations on this property including lack of building permits, encroachment into easements, not meeting setbacks and building code violations. Commissioner Van Beek stated that *'she is in favor of moving forward with the certificate of non-compliance because the old saying is talk is cheap and so people have to comply and he's had the due diligence and the notifications from more than one agency to not move forward with this project and water is valuable and to not meet the setbacks on that – and that is her motion'*. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider Releases of Certificates of Noncompliance for:

Officer Westerfield provided background on each of the properties.

- 9466 S. Happy Valley Road, Nampa (R28990) – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the release of certificate of non-compliance.
- 703 W. Dooley, Nampa (R29262) – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the release of certificate of non-compliance.

The meeting concluded at 11:18 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 11:21 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Judge Davis Vander Velde, Deputy Trial Court Administrator Laura Kiehl, Deputy Trial Court Administrator Benita Miller, Wage and Compensation Analyst Bosco Baldwin and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution adopting changes to the job title, job description and salary of one (1) position in the Trial Court Administration department; and Consider a resolution adopting changes to the job title, job description, FLSA designation, and salary grade/range of one (1) position in the Trial Court Administration department:

Ms. Miller explained that for the two employees in these positions the job description has been updated to more accurately reflect their actual duties. Both of these people also have supervisory duties and were classified the same as the employees they are supervising, so that was also updated. Following the discussion, the following motions were made:

Commissioner Van Beek made a motion to *approve and sign the document, the Senior Staff Attorney with an updated job description, classification summary, moving from \$78,901.94 annually to the position of Senior Staff Attorney with a new salary of \$85,000 annually*. The motion was seconded by Commissioner Brooks and carried unanimously. See resolution no. 23-219.

Commissioner Van Beek made a motion to *approve the updated job description and the change to reflect that he is a Chief Judicial Marshal and his salary grade has gone up two grades and the increase is reflective of what the Board has discussed during the budget session, and this is the right move for Canyon County*. The motion was seconded by Commissioner Holton and carried unanimously. See resolution no. 23-220.

The meeting concluded at 11:28 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 2:05 p.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Controller Zach Wagoner, Benefits and Compensation Analyst Bosco Baldwin, Director of Indigent Services Yvonne Baker, Cpt. Martin Flores and Deputy Clerk Jenen Ross.

Mr. Wesley explained that these two items go hand-in-hand. The Willamette Dental Group renewal is for calendar year 2024 in which they are proposing a renewal with a 10% increase, the current employer paid fee is \$122.20 per family, per enrolled employee. Employees currently have no additional premium for Willamette, with one additional family member being \$5.00 and a family being \$15. Due to the premium increase there is a proposal on how to offset that. Mr. Wesley spoke to the differences between the Willamette and Delta dental plans which are both available to county employees.

Mr. Baldwin provided an overview of the proposed Willamette Dental premium structure. HR's proposal is to increase employee's contribution to \$10/monthly from \$0, employee + 1 to \$20/monthly from \$5.00 and employee + family to \$45.00/monthly from \$15.00. Additionally, with these increases they would like to break the paycheck deductions into 2 paychecks vs. just one. HR anticipates this change will reduce the expected cost by \$60,000 which he thinks will help balance this out. HR believes this is a fair allocation and they would like to see how this will look. They may end up coming back to the Board to potentially increase the funding from the county as that hasn't been changed in 6 years.

Controller Wagoner explained that with Willamette the liability is known – giving the example that if you have a monthly bill of \$134 x 12 months that is approximately \$1600 regardless of the condition of someone's teeth, the county's liability is capped. If you have a family of 5 that decides to transition away from Willamette to Delta then the liability becomes at least \$5000 because the self-funded plan guarantees a maximum annual benefit of \$1000 each.

Mr. Baldwin explained that on a self-funded plan it is funded to the maximum exposure and it's between the maximum cost funded and the actual claims where there is a financial win. He also said there are some things that are not covered on Delta such as orthodontics, so often people will take advantage of the Willamette plan because it covers orthodontics or if there is a need for major oral surgery the Willamette plan is a better plan for those types of things but there is a cost.

Controller Wagoner hopes this is financially beneficial to the health insurance plan but there is no guarantee it will be. There is no guaranteed specific savings, these are hypothetical savings; it could actually be a financial negative to the plan. He then provided current budget numbers of the health insurance fund stating that in his opinion the trend is not good and feels going forward there needs to be some serious conversations to address the declining trend. The Board agrees there needs to be further conversation and Mr. Wagoner would like to make sure the members of the Health Insurance Trustee Board are invited as they have years of experience and expertise.

Discussion ensued regarding the county using a broker for health insurance needs. Mr. Baldwin feels there are things from a legal standpoint that the county may not be aware of or reporting on, however, in the past both Mr. Wagoner and Mr. Wesley have expressed the poor experience they've had working with a broker for this need and Mr. Wagoner further expressed that the experience has been disastrous and financially harmful to the plan.

Following the discussion, the action items were considered as follows:

Consider Document Amending Willamette Dental Employee Premium Structure and Consider Willamette Dental Group Renewal

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the document amending Willamette Dental Employee Premium Structure (agreement no. 23-130) and the Willamette Dental Group Renewal (agreement no. 23-129).

The meeting concluded at 2:40 p.m. and an audio recording is on file in the Commissioners' Office.

SEPTEMBER 2023 TERM

CALDWELL, IDAHO SEPTEMBER 29, 2023

APPROVED CLAIMS

- The Board has approved claims 598868 to 598869 in the amount of \$51,395.94
- The Board has approved claims 598779 to 598780 in the amount of \$1,999.56
- The Board has approved claims 598781 to 598821 in the amount of \$137,023.34
- The Board has approved claim 598871 ADV in the amount of \$2,590.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Wyndham San Diego - OnPeak in the amount of \$2,093.47 for the Information Technology Department (PO #5783)
- MityLite, Inc., in the amount of \$18,988.00 for the County Fair (PO #5544)
- Lifetime in the amount of \$8,129.98 for the County Fair (PO #5543)
- Sunbelt Controls, Inc., in the amount of \$23,805.00 for the Facilities Department (PO #5760)

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permit for the Curb Bar & Grill to be used 10/7/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change forms for:

- Tyler Hamlin, Court Clerk Lead
- Aldo Fortanelly, Clerk IV (Criminal Lead)

- Holly Murray, Court Clerk Lead
- Brittany Evans, Court Clerk Lead
- Marah Meyer, Court Clerk Lead

MEETING TO REVIEW THE HARTWELL INSURANCE RENEWAL PROPOSAL

The Board met today at 12:03 p.m. to review the Hartwell insurance renewal proposal. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, Facilities Director Rick Britton, Facilities Director Mark Tolman, Brian Baughman and Shannon Kinney from the Hartwell Corporation, and Deputy Clerk Monica Reeves. The Board went into Executive Session as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 12:04 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) records exempt from public disclosure, and to communicate with the County's legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks 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, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, Facilities Director Rick Britton, Facilities Director Mark Tolman, and Brian Baughman and Shannon Kinney from the Hartwell Corporation. The Executive Session concluded at 12:08 p.m. with no decision being called for in open session.

An overview of the insurance proposal was reviewed on the record. (The same persons were present as noted above with the addition of HR Director Kate Rice who arrived at 12:09 p.m.) Mr. Baughman said over all he is very pleased and things are very good for the County. A copy of the PowerPoint presentation given by The Hartwell Corporation was given on the following topics:

Insurance Overview

Premium and Rate

22/23 term \$1,088,113

23/24 term \$1,205,209

Annual rate increase 10.76%

Blanket property increase 4.7%

Processes and Goals

County contact list – subject to change

Start review 6 months prior to renewal

Discuss workers compensation options – Exploratory Proposal

LEL (Law Enforcement Liability) Retention Increase

Increased from \$250,000 to \$500,000 – Nothing due to County operations, an increase on all municipalities.

Retention Savings Option

Wrongful acts increased retention from \$250,000 to \$500,000 - \$78,196 annual savings

Retention Examples

Travelers

Commercial package policy

- Property blanket building and business personal property
 - \$5,000 deductible
- Equipment floater
 - \$5,000 deductible
- Crime - \$100,000 employee theft/forgery
 - \$1,000 deductible

General liability policy

- \$2M General Agg/\$1M Each Occurrence
 - Idaho Each Occurrence Statutory Cap limit \$500,000
 - Law Enforcement Activities or Operations are EXCLUDED
- Employee Benefits \$3M Gen Agg/\$1M Each Employee
 - \$1,000 deductible

Business Auto Policy

- Composite Rated

All Claims for the above are processed through Travelers Claims Department

Munich RE

Professional Liability Package Policy

- Professional Liability
 - \$3M Wrongful Acts Liability w/\$250,000 Retention
 - Claims Made
- General Liability
 - \$3M w/\$1M retention
 - Each Occurrence
- Law Enforcement Liability
 - \$3M w/\$500,000 Retention
 - Each Occurrence

- Sexual Abuse
 - \$3M w/\$1M retention
 - Claims Made
- Business Auto
 - \$3M w/\$2M retention
 - Each Accident

All Claims for the above are processed through ESIS

Landmark American

- Professional Liability – Coroner policy
 - \$1M Each Claim
 - \$3M Aggregate
 - \$5,000 deductible
 - Claims made

All Claims for the above are processed through RSUI Group, Inc

Tokio Marine/HCC

- Cyber Liability policy
 - \$2M Each Claim – Third Party Liability
 - \$2M Each Claim – First Party
 - \$50,000 Deductible
 - Full Prior Acts Coverage w/Knowledge Date after 10/01/2022

All Claims for the above processed through Tokio Marine HCC Cyber & Professional Lines Group

In summary, Mr. Baughman said the biggest thing the County can do is keep the loss ratio low by avoiding discrimination claims and law enforcement liability claims. We need to show more of a positive trend. Commissioner Holton questioned why law enforcement was not in attendance at this meeting if they are one of our potential loss leaders. There was discussion regarding clarifications and information Mr. Baughman and Ms. Kinney require in order to bind coverage. There are renewal applications that need to be signed by the Board today and the signing of the insurance applications will be ratified on October 3, 2023, at 9:30 a.m. Chairman Holton signed the required documents as presented by The Hartwell Corporation. Ms. Kinney will send signed copies of the applications to Mr. Rast and Mr. Ericson. The meeting concluded at 12:49 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER SIGNING AN AT-WILL EMPLOYMENT AGREEMENT FOR THE CANYON COUNTY CHIEF OPERATING OFFICER FOR FY2024

The Board met today at 1:45 p.m. to consider an at-will employment agreement for the Canyon County Chief Operating Officer for FY2024. Present were: Commissioners Brad Holton, Zach

Brooks and Leslie Van Beek, COO Greg Rast, HR Director Kate Rice, Parks Director Nicki Schwend, and Deputy Clerk Monica Reeves. COO Rast gave the history of the position which was created in December of 2022, and how he modeled the agreement a similar agreement used by Ada County. He reviewed the changes between this year's agreement and last year's agreement:

The job description will be updated every year because the position will be evolving and it should be a metric of a performance evaluation of everything that was achieved that he signed on saying he would fulfill the role.

1. **Section 4.1** reflects the salary change and coincides with the 3% and it takes his salary from roughly \$145,000 to \$148,826.10.
2. **Section 5.7** states the County agrees to provide employee with a GPS tracked vehicle, required insurance, maintenance and fuel for the vehicle to be used to travel to and from work assignments. Vehicle is assigned to the Office of the Board of Commissioners.
3. **Section 6.7** was changed. In the previous agreement it basically says in the event the employee accepts another position within the County, this agreement is null and void. This one says: In the event employee accepts another position within the County or any outside PERSI contributing organization within forty-five (45) days of termination of this position, the County is not obligated to fulfill the nine month buyout in this agreement.

Commissioner Brooks said since Section 6.7 states 45 days then maybe Section 6.6 needs revised to state 60 days rather than 45 days when referring to the cash payment. It does not make sense for COO Rast to get a cash payout in 30 days and between 31 and 45 days he could get another job and the County could ask for the money back. COO Rast agreed to make the change.

The job description for the COO is attached to the agreement and includes changes to the job duties and according to COO Rast, there are no substantial changes. He reviewed a document titled *Fiscal Year 2023 - COO Led Completed Projects and Major Efforts (December 26, 2022 - September 30, 2023)*, a copy of which is on file with this day's minute entry. According to COO Rast, the number one motivation for his at-will employment agreement is consistency from Commissioner to Commissioner. The Commissioners offered comments about the previous Board's decision to hire a COO last year, and they spoke in support of Mr. Rast's role and his at-will agreement.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the At-will employment agreement for the Canyon County Chief Operating Officer for FY2024 noting the distinguished accomplishments in tandem for the Chief Operating Officer and this Board in conjunction with the Directors. (Agreement No. 23-131). The meeting concluded at 2:31 p.m. An audio recording is on file in the Commissioners' Office.

There were no Board of Equalization matters that came before the Board this month.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 2, 2023

There were no meetings held this day.

APPROVED CLAIMS

- The Board has approved claim 598870 ADV in the amount of \$4,725.00
- The Board has approved claims 598822 to 598867 in the amount of \$48,383.19

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- R&H in the amount of \$2,553.13 for the Facilities department (PO #5793)
- Prime Construction and Asphalt in the amount of \$7,020.00 for the Facilities department (PO #5794)
- Corwin Ford in the amount of \$44,995.00 for the Fleet department (PO #5767)

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Van Lith Ranch to be used 10/6/23, 10/7/23, 10/8/23, 10/14/23 and 10/15/23.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 3, 2023

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Shawna Larson, Temporary

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Smith's Lawnmower in the amount of \$6965.10 for the Facilities Department (PO #5795)
- The Land Group in the amount of \$10,800.00 for the Facilities Department (PO #5796)

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

The Board met today at 9:32 p.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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Director of Juvenile Detention Sean Brown (left at 9:35 a.m.), Facilities Director Rick Britton (left at 9:39 a.m.), Elections Supervisor Brandi Long (left at 9:39 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Juvenile Detention Housing Agreement with Ada County: This agreement is in place for circumstances where there is a conflict in either Canyon or Ada County juvenile detention centers. The fees associated with the cost of detention will be waived, however, there are very few circumstances where juveniles need to be in another facility. 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. 23-132).

Consider signing Agreement with Beniton Construction Company for Construction Manager Services for Elections Building Construction Project: Director Britton explained all the processes have been completed to this point. Several questions were posed by Commissioner Van Beek and addressed by Director Britton. Mr. Ericson said the contract is very comprehensive. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with Beniton Construction Company for construction manager services for the Elections Building Construction project (see agreement no. 23-133).

Consider ratification of signing of insurance applications: On Friday The Hartwell Group presented several insurance renewal applications that were time-sensitive. Mr. Rast read the policies being ratified into the record as follows:

- Drone Coverage Supplemental Application
- Miscellaneous Professional Liability Insurance for the Coroner's Office
- Retained Limited Coverage Application
- Sexual Abuse Supplemental Application
- Sexual Harassment Supplemental Application
- Policyholder Disclosure Notice of Terrorism Insurance Coverage

Commissioner Van Beek made a motion that the Board of County Commissioners sign the applications for the ratification for the insurance applications on the above noted policies. At the request of Commissioner Holton, Commissioner Van Beek amended the motion to sign the notice as ratification. Mr. Ericson said there really isn't anything to sign today, it's just ratifying the signatures that were done Friday. The motion was seconded by Commissioner Brooks and carried unanimously.

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 9:43 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys and COO Greg Rast. The Executive Session concluded at 9:54 a.m. with no decision being called for in open session.

Following the executive session, the following action items were considered:

Consider resolutions reappointing Robert Sturgill and Brian Sheets to the Canyon County Planning and Zoning Commission: There has been interest from both parties to continue to serve and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution reappointing Robert Sturgill (resolution no. 23-221) and Brian Sheets (resolution no. 23-222) to the Canyon County Planning and Zoning Commission.

Consider a resolution for a change in application for McCain Pub: The change to this application is for the removal of one officer and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a change in application for McCain Pub (resolution no. 23-224).

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

HEARING TO CONSIDER PROPOSED FY2023 BUDGET ADJUSTMENTS

The Board met today at 10:30 a.m. for a hearing to consider proposed FY2023 budget adjustments. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Controller Zach Wagoner, Elections Supervisor Brandi Long, COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider resolution approving FY2023 budget adjustments: Controller Wagoner provided a review stating there was a meeting several weeks ago where the adjustments were discussed and a notice was published letting the public know of today's hearing. There is no increase to property taxes with the adjustments. Today's action is an accounting exercise to formally adjust the budget for FY2023. There are sufficient cash/revenues for these purchases and it is Controller Wagoner's recommendation to move forward with the adjustments. The adjustments are as follows:

- Emergency Management: \$25,000 increase

- General: \$10,000 increase
- Treatment Courts: \$60,000 increase
- Landfill: \$2,482,800 increase
- County Extension: \$11,000 increase

No members of the public offered comment either in person or via any other documentation. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving FY2023 budget adjustments (resolution no. 23-225). The meeting concluded at 10:35 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER APPROVING POLLING LOCATIONS FOR THE NOVEMBER 7, 2023 CONSOLIDATED ELECTION

The Board met today at 10:45 a.m. to consider approving polling locations for the November 7, 2023 consolidated election. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Controller Zach Wagoner, Elections Supervisor Brandi Long, COO Greg Rast, Jo Dee Arnold and Deputy Clerk Jenen Ross.

There are approximately 99,000 voters with 37 open locations in 44 precincts; there will be no polling locations open for uncontested races. Precincts 4 and 13 will vote by mail and letters will be sent to those voters letting them know the election will be by mail-in ballots. Ms. Long spoke to the safeguard of duplicate voting, ADA compliance and early voting. Early voting will be conducted from October 23rd thru November 3rd at both the elections office and the Hispanic Cultural Center. The Board is supportive of Mr. Hogaboam putting out a press release and website notifications regarding early voting locations and that they are always looking for more poll workers. Based on questions from the Board, Ms. Long spoke about the training poll workers will receive. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution designating polling locations for the November 7, 2023 election (resolution no. 23-223).

The meeting concluded at 10:56 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY CS2, LLC, FOR A CONDITIONAL REZONE FROM AN “A” (AGRICULTURAL) ZONE TO AN “R-R” (RURAL RESIDENTIAL) ZONE, CASE NO. RZ2021-0047

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by CS2, LLC, for a conditional rezone of approximately 40.84 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone, Case No. RZ2021-0047. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner III Michelle Barron, Permit Technician Marcus Gomez, Deputy PA Laura Keys, Bob Unger, and Deputy Clerk Monica Reeves.

DSD Planner III Michelle Barron gave the oral staff report. The average minimum lot size in the “R-R” zone is two (2) acres. The subject property, parcel no. R35590, is located on the south side of W. Linden St., approximately 673 ft. east of the intersection of Wagner Rd. and W. Linden Street in Caldwell. The property is located within the City of Caldwell’s area of city impact. On July 20, 2023, the Planning and Zoning Commission recommended approval of the conditional rezone from Agricultural to Conditional Rezone-Rural Residential. The concept plan is for 18 lots and includes individual septic systems. The future land use designation in the 2020 comprehensive plan is residential; the City of Caldwell designates it as residential estates. City sewer is not available to the site but they want the developer to extend water to the site; however, the developer is seeking a waiver of that requirement. The City’s comments were mostly on the plat, but Planner Barron said what the Board needs to look at today is whether the waiver will be granted. The zoning in the area is predominately agriculture, but the use is rural residential. There are 29 platted subdivisions within the area. The parcels located just east of the rezone were rezoned in 2020 to rural residential and a preliminary plat for 10 lots was approved earlier this year. The request aligns with 4 goals and 8 policies of the comprehensive plan. Planner Barron reviewed agency comments and the draft conditions of approval.

Bob Unger, who represents CS2, LLC, testified in support of the applicant and said staff has done an excellent job representing the case. The project consists of 18 two-acre lots and they intend to comply with the City of Caldwell’s requirements as far as lot sizes, but they are asking for a waiver of some requirements, specifically, the extension of water to the project. City water is almost a mile from the project and Mr. Unger estimates it would cost nearly \$500,000 to make that connection. Originally the applicant had one-acre lots in order to cover the cost of extending water, but that was opposed by the neighbors so they went back to the drawing board and staff said they could request a waiver from the Board of Commissioners so they revised their plan two-acre lots which the neighbors support. According to Mr. Unger, that is the only city requirement they are seeking a waiver of. He gave testimony regarding the streets, and the irrigation supply, and EMS access. Following his testimony, Mr. Unger responded to questions from the Board.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. The Board reviewed the conditional rezone hearing criteria. Commissioner Brooks is in favor of application, but he is not in favor holding this applicant to standards the City of Caldwell has requested because the Board recently approved a case next to this parcel and the City’s requirement for improvements were waived. Commissioner Van Beek said the amenities enhance the area and makes it more desirable, and she agrees with the leaving it the way the applicant has agreed to. She agrees to waive the water requirement but nothing more. Commissioner Holton wants a more maintained subdivision with curbs and gutters than without, and the applicant has testified they will agree to them. Commissioner Brooks believes it sets a terrible precedent to not waive the improvements in this case when the Board waived them for another applicant. He will not support being hypocritical in two different applications where one applicant is held to a different standard than the other. Commissioner Van Beek said it’s a negotiation that was done between the applicant and the City and its area of impact area. Following discussion Commissioner Van Beek made a motion to approve Case No. RZ2021-0047,

a conditional rezone subject to the conditions of the development agreement waiving requirement for the provision of city water. (All other conditions besides the connection to the public water system will remain the same.) The motion was seconded by Commissioner Holton and carried unanimously. The development and ordinance will be brought back for Board consideration once the applicant has signed the development agreement. The hearing concluded at 2:50 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 4, 2023

APPROVED CLAIMS

- The Board has approved claims 599040 to 599085 in the amount of \$83,389.67
- The Board has approved claims 599086 to 599111 in the amount of \$18,867.00

APPROVED PAYROLL OCTOBER 6, 2023

The Board approved the October 6, 2023 payroll in the amount of \$2,217,788.27

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Sherwin-Williams in the amount of \$6190.80 for the Facilities department (PO #5797)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Shane Sears, Election Temp.
- Jamie Siewert, Election Temp.
- Trina Harrell, Election Temp.
- Bonnie Wood, Election Temp.

PUBLIC HEARING: BLACK SUMMIT LLC (BRETT HUGHES), REPRESENTED BY BOB UNGER, IS REQUESTING A CONDITIONAL REZONE FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-R-1" (CONDITIONAL REZONE-SINGLE FAMILY RESIDENTIAL) ZONE, CASE NO. RZ2021-0059

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by Black Summit, LLC, (Brett Hughes) represented by Bob Unger is requesting a conditional rezone of approximately 10.15 acres from an "A" (Agricultural) zone to a "CR-R-1" (Conditional Rezone-Single Family Residential) zone, Case No. RZ2021-0059. Present were: Commissioners Brad

Holton, Zach Brooks and Leslie Van Beek, DSD Planner III Michelle Barron, Deputy PA Zach Wesley, Bob Unger, and Deputy Clerk Monica Reeves.

DSD Planner III Barron gave the oral staff report. The request includes a development agreement to limit residential development to 13 lots in substantial conformance with the concept plan. A pre-annexation agreement with the City of Nampa has been signed and the development will connect to public water. The subject property, Parcel no. R30566 is adjacent to 7722 E. Victory Road in Nampa and was created through an administrative split in 2021. There is a concept plan for 13 buildable lots, with connection to city water and individual septic systems. There are 19 total lots but only 13 are buildable, others are for landscaping, drainage, and the roads. Access off of Victory Road is proposed and will need to meet Nampa Highway District's requirements. The property is located within the Nampa area of city impact and is designated as low-density residential. On July 20, 2023, the Planning and Zoning Commission recommended approval of the conditional rezone from "A" (Agricultural) to "CR-R1" (Conditional Rezone - Single Family Residential). Following her staff report, Ms. Barron responded to questions from the Board.

Bob Unger, the applicant's representative, testified in support of the request. When the sale of the property was first negotiated between the buyer and the sellers a draft layout was done to give an example of what the buyers were going to do with the property and that showed 9 one-acre lots. The deal was closed and the property sold to Black Summit. As they moved forward the City of Nampa said they would require certain improvements and one of those is water so at that time they discussed the zoning and the size of lots they could go with that's when they ended up with 13 half-acre lots. As far as the number of lots discussed between the seller and the buyer, that's an issue between them as to whether the sellers could restrict the buyer to develop nine lots. Mr. Unger said staff has done a great job reviewing the application and they have no issues with the conditions of approval. The developers have signed the pre-annexation agreement with the City of Nampa are bringing water to the project. They have met with Southwest District Health and they have said the soils are sufficient for the proposed system systems. The internal roads are private but are being built to city standards. The City of Nampa has accepted the preliminary plat and that's why they moved forward with the pre-annexation agreement which has been recorded.

Planner Barron reviewed the draft conditions of approval and there was follow-up discussion regarding mitigation with the Kuna School District. Commissioner Brooks said the school's letter is vague in referencing a donation of land or money and if the Board approves the rezone with the condition it forces the developer and the school to have a conversation and it would be nice to have feedback from both parties on how those discussions went, and if the Board is the ultimate arbiter of determining whether it was mitigated or not then he is fine with that condition. Planner Barron said the draft language states that the applicant must work with the school district on mitigation prior to approval of the preliminary plat. Further discussion ensued. Mr. Unger suggested language which states the developer shall meet with the Kuna School District to discuss mitigation. Commissioners Brooks and Holton concurred and following further discussion, it was agreed that the condition will state: *Developer shall meet with Kuna School District for agency review prior to approval of the preliminary plat.* Upon the motion of Commissioner Brooks and

the second by Commissioner Holton, the Board voted unanimously to close public testimony. Following the Board's deliberation, Commissioner Brooks made a motion to approve Case No. RZ2021-0059, a conditional rezone of Parcel no. R30566, subject to the conditions of the development agreement and the six conditions that were reviewed on the record. The motion was seconded by Commissioner Van Beek and carried unanimously. The Board signed the FCO's, but the development agreement and ordinance will be brought back for consideration once the applicant has signed the agreement. The hearing concluded at 2:19 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 5, 2023

APPROVED CLAIMS

- The Board has approved claims 599026 to 599039 in the amount of \$65,827.71
- The Board has approved claims 599174 to 599189 in the amount of \$336,006.49
- The Board has approved claims 599152 to 599173 in the amount of \$42,109.48
- The Board has approved claims 599112 to 599151 in the amount of \$28,862.04
- The Board has approved claims 598872 to 598882 in the amount of \$1,503.33
- The Board has approved claims 598883 to 598910 in the amount of \$21,415.96
- The Board has approved claims 598911 to 598930 in the amount of \$86,003.08
- The Board has approved claims 598931 to 598964 in the amount of \$237,312.32
- The Board has approved claims 598965 to 599003 in the amount of \$65,113.43

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$1899.36 for the Information Technology department (PO #5784)
- Johnstone Supply in the amount of \$1583.92 for the Facilities department (PO #5798)
- Tarpomatic Inc. in the amount of \$6150.00 for the Solid Waste department (PO #5726)

COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Steven Higgins.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Victoria Hampton, Sr. Customer Service Specialist
- Brenda Barrie, Customer Service Specialist

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Legends Sports Pub & Grill to be used 11/4/23, 12/17/23 and 12/22/23.

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 Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Laura Keys, Treasurer Tracie Lloyd (left at 9:36 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Treasurer's Tax Charge Adjustments by PIN for August 2023: The adjustment this month is to remove a warrant of distraint for \$10. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the Treasurer's tax change adjustments by PIN for August 2023.

Consider Legal Notice of Entering into Personal Services Contract with: Jay Kiiha, Bethany Haase, Ali Perkins, Jolene Maloney, Krista Howard, Joshua B. Taylor, Paul Taber, Andrew Jenkins, Nielson McCrea Law, and Rondee Blessing to provide legal services for representation of conflict cases assigned by the Courts under the supervision of the Chief Public Defender; and Delia Gonzalez, Laura Leavitt, and Maria G. Escobedo-Gonzalez to provide court interpreter services: Each of these contracts are annually renewed and with the potential to exceed \$10,000 a notice must be published. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to sign the legal notice of entering into personal services contracts.

Following the action items, the ensuing topics were discussed as part of the legal staff update:

Mr. Ericson asked about invoices received from The Hartwell Corporation for the insurance premiums. The invoices will be forwarded to Mr. Rast in order for claims to be created and submitted to audit for payment.

Commissioner Holton requested that legal be available, if needed, for the private road workshop meeting this afternoon.

Mr. Rast asked about e-signatures, response to the letter received addressing noxious weed control, projects in the queue for the legal team and ordinance changes. Mr. Ericson said he would look into each of these and update the Board.

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

CONSIDER RESOLUTION APPROVING CHANGES TO THE JOB TITLE, JOB DESCRIPTION, AND SALARY RANGE OF 25 POSITIONS IN THE COMMUNICATIONS CENTER, SHERIFF'S OFFICE

The Board met today at 10:32 a.m. to consider a resolution approving changes to the job title, job description and salary range of 25 positions in the Communications Center in the Sheriff's Office. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Compensation and Benefits Coordinator Bosco Baldwin, Cpt. Chuck Gentry, Communications Manager Roxanne Wade (arrived at 10:34 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. Commissioner Holton said these changes were part of the FY24 budget and this is just the paperwork to complete the details. Cpt. Gentry explained part of this resolution is to clarify titles and to differentiate different position classifications. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving changes to the job title, job description and salary range of 25 positions in the Communications Center in the Sheriff's Office (resolution no. 23-226).

The meeting concluded at 10:38 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH CANYON HIGHWAY DISTRICT NO. 4

The Board met today at 1:39 p.m. for a meeting with Canyon Highway District No. 4 for an overview of highway district jurisdiction and operations. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chris Hopper and Bruce Bayne from Canyon Highway District No. 4, DSD Director Sabrina Minshall, Principal Planner Dan Lister, County Engineer Devin Krasowski, DSD Planner III Michelle Barron, DSD Planner III Debbie Root, Steve Burton, and Deputy Clerk Monica Reeves. A PowerPoint presentation was given and is on file with this day's minute entry. Highlights included:

HD4 Responsibilities

- Formed in 1981 from remaining Canyon Co road & bridge responsibilities
- Approximately 320 miles of public roadway
 - 318 paved miles
 - 2 gravel miles Adding about 5 miles per year with new development
- 40 employees
- 3 elected commissioners
- Canyon County has 4 highway districts, 8 cities with street departments, and one state highway agency (13 separate transportation jurisdictions)

HD4 Responsibilities

- Public Roadways
 - Traffic operations & safety
 - Pavement maintenance & replacement

- Bridge & culvert maintenance & replacement
 - Capacity Improvements Access control
 - Winter maintenance Public
- Rights-of-Way
 - Management
 - Clearing obstructions and encroachments
 - Acquisition
- Near-and Long-Term Transportation Planning
- Development Access and Oversight

HD4 Assets

- 320 miles of public roadway (Average PCI 77/100)
- 41 NBIS Bridges (> 20' span) Average Sufficiency Rating 84/100
- 73 non-NBIS Bridges (< 20' span) Average Sufficiency Rating 73/100
- 4,190 Pipe Culverts (251 30" Diameter or Larger)
- 5,960 Traffic Signs
- 4 Gravel Pits (2 owned, 1 owned jointly, 1 leased)
- 1 Office & Maintenance Yard, 2 satellite storage areas
- \$5.1M in Equipment

2023 Projects

- 12 Large Culvert Replacements or Sliplines
- Northside Blvd Pavement Rehab-1.0 miles
- Chicken Dinner Pavement Rehab-2.0 miles
- Linden Rd Pavement Rehab-0.5 miles
- Purple Sage Rd Pavement Rehab-1.0 miles
- Pride Rd Overlay-1.0 miles
- Foothill Rd Overlay-1.0 miles
- New salt/sand storage shed

2024 Projects

- 11 Large Culvert Replacements or Sliplines
- Riverside Rd at Mora Canal Bridge Replacement
- Middleton Rd at Willow Creek Bridge Replacement
- Middleton/Linden Roundabout (2024-2025)
- 5.9 Miles Pavement Rehab (Riverside, Bear, Midway, El Paso)
- 2.0 Miles Mill/Overlay Farmway Rd
- Old Hwy 30 Pavement Rehab-4.5 miles (Federal Aid)
- Indiana/Orchard Shared Use Shoulder (Federal Aid)
- HD4 Office Expansion

2025-2030 Projects

- Roundabouts: Farmway/Ustick, Northside/Ustick, Midland/Linden
- Corridor Improvements: Old Hwy 30-SH 44 to Purple Sage
- Bridges: Mason Creek at Midland, Linden, Ward, Lincoln; Fifteen Mile Creek at Madison; Willow Creek at Purple Sage; Phyllis Canal at Wagner; DF Caldwell Canal at Roosevelt; Middleton Mill Slough at Duff Lane

Planning Efforts

- Old Hwy 30 Corridor Plan-US 20/26 to Galloway
- Caldwell Area Transportation System Plan (CATS)
- CATS Impact Fees
- Mid-Star Impact Fee Update
- SH 44-I84 to SH 16 Planning & Environmental Linkage
- I-84 Interchange: Exit 25 to Exit 17
- I-84 Interchange: Middleton/Ustick
- Recently Completed: Farmway Rd Corridor Plan; Ustick Rd Corridor Plan; Homedale Rd Intersection Evaluation

New Development

- 88 Plan or Plat Reviews YTD in 2023
- 104 Reviews in 2022; 120 in 2021
 - Does not include comments to agencies for rezones, lot splits, annexations, city preliminary plats, agency plans
- Access Permits: 131 YTD in 2023; 224 in 2022; 320 in 2021
- Utility Permits: 125 YTD in 2023; 209 in 2022; 159 in 2021
- New Development concentrated in Mid-Star area north of Boise River, and within city limits

Impact Fees

- HD4 formed partnership with Middleton & Star to develop a single service area and impact fee for the Mid-Star Service Area in 2020.
- Adopted by Middleton & Star in 2021; adopted by Canyon Co in 2022.
- CATS Plan will develop service area and impact fee schedule for Caldwell/North Nampa area (includes remainder of HD4 jurisdiction). Anticipated to be ready for consideration by County in early 2024.

Mid-Star Impact Fee Revenues

- Rural Canyon County:
 - \$327,934 since adoption
- City of Star within Canyon County:
 - \$116,150 since adoption

Mid Star CIP Projects:

- Middleton Rd at Boise River Bridge-preliminary design study (2024)

- SH 44 Interim Study-I-84 to Can Ada Rd (underway)
- Duff Lane/SH 44 intersection (partnership with development)
- Blessinger Rd-Foothill to Sage Canyon Way (design 2024)
- Blessinger Rd/SH 44 intersection (design 2024)

A roundtable discussion followed on the topics noted above. The Board had another meeting scheduled this afternoon for 2:30 p.m., so Mr. Hopper and Mr. Bayne will be invited back at a later date to complete their presentation. (Of the 38 slides in the PowerPoint, there are 20 that will be reviewed at the next meeting.) No Board action was required or taken. The meeting concluded at 2:30 p.m. **Due to a malfunction with the recording system, there is no audio recording of this meeting.*

PRIVATE ROAD WORKSHOP

The Board met today at 2:38 p.m. for a private road workshop. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, County Engineer Devin Krasowski, Building Official Tom Crosby, DSD Planner III Michelle Barron, DSD Planner III Debbie Root, Deputy PA Zach Wesley, Deputy PA Laura Keys, P&Z Commissioner Robert Sturgill, COO Greg Rast, and Deputy Clerk Monica Reeves. Devin Krasowski said at the previous workshop the Board wanted to see real-life examples so he turned that concept into a flowchart and walked through some examples. The summary of the last workshop was the provision of emergency services with the private access roads, and there was discussion about pavement standards above certain thresholds and the two main issues with the current ordinance we are trying to solve are: 1. decrease the situation where there are two conflicting standards mainly between the County and the fire districts; and 2. avoid bad timing situations where new land is created and infrastructure doesn't get put in until the first lot gets sold and someone tries to build a house. A PowerPoint presentation was prepared by staff and highlights include:

Review of the private access road process/standards example flow chart (10/5/23 draft)

Proposals for Other Details – Private Roads Off Private Roads

- No private roads off of private roads as of adoption date of the ordinance

Proposals for Other Details – Drainage

- TBD – research and technical evaluation required

Proposals for Other Details – Pavement Threshold

- Land division resulting in private road providing access to more than 4 lots => paved

Proposals for Other Details – Overall Limitation to Private Roads

- Proposing allowing new private roads or those “extended or expanded” by land division to serve a maximum of 10 lots

Proposals for Other Details – RUMA

- Not proposing a RUMA requirement
- All property owners using the road for access will be responsible for maintenance of the road
- Replace RUMA with a statement of responsibility which would include language similar to the last sentence of 07-10-03 (1)B3 which says: “Failure to maintain a previously approved driveway or private road shall be a violation of this article subject to the enforcement procedures in article 19 of this chapter.”

A roundtable discussion ensued during the review. (Mr. Rast left at 3:36 p.m.)

Commissioner Holton hopes to create an ordinance where people know the upfront what the road expectations are and said we need clear rules on what our expectations are for roads and streets. He prefers to keep the pavement threshold at four (4) lots, and he is opposed to private roads off of private roads because it has the potential to create problems. There was continued discussion regarding the standards. Director Minshall said staff will work with Legal on preparing a draft ordinance that will go through the public hearing process and staff will get feedback and by the time it comes to the Board there will be pros and cons and if staff needs to make updates they will do that. No Board action was required today. The meeting concluded at 3:59 p.m. An audio recording is on file in the Commissioners’ Office.

ACTION ITEM: CONSIDER SIGNING CANYON COUNTY ESIS RENEWAL ADDENDUM FOR 2023-2024

The Board met today at 4:24 p.m. to consider signing the Canyon County ESIS Renewal addendum for 2023-2024. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Civil Deputy PA Carl Ericson, and Deputy Clerk Monica Reeves. Mr. Ericson presented the renewal agreement which is part of the insurance package with ESIS and for the services they provide to the County. ESIS is not an insurance provider but they are assisting as a third-party administrator to help manage claims. An invoice for \$5,000 has been submitted for this fiscal year. Following review and comments, Commissioner Van Beek made a motion to sign the Canyon County ESIS Renewal Addendum for 2023-2024 as presented by Legal. The motion was seconded by Commissioner Brooks and carried unanimously. (Agreement No. 23-134.) The meeting concluded at 4:29 p.m. An audio recording is on file in the Commissioners’ Office.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 6, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Clapier Construction in the amount of \$19,428.75 for the Facilities department (PO #5800)
- STV CNC in the amount of \$15,797.00 for the Facilities department (PO #5799)
- Uniforms2Gear in the amount of \$1248.02 for the Prosecuting Attorney's Office (PO #5808)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Amber Lewter, Hearing Specialist
- Matthew L. Vernon, Maintenance Technician

No meetings were held this day.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 10, 2023

APPROVED CLAIMS

- The Board has approved claims 299191 to 599217 in the amount of \$69,084.82
- The Board has approved claims 599218 to 599222 in the amount of \$21,030.00
- The Board has approved claim 599223 in the amount of \$0.00
- The Board has approved claims 599004 to 599025 in the amount of \$112,534.82
**Commissioner Brooks noted incorrect amount on the invoice for Castle Tire*
- The Board has approved claim 599224 in the amount of \$123.50
- The Board has approved the September Jury claim in the amount of \$6,098.16

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Motorola Solutions in the amount of \$33,993.89 for the Sheriff's Office (PO #5720)
- Motorola Solutions in the amount of \$21,630.73 for Emergency Management (PO #5721)
- High Focus, LLC, in the amount of \$25,000.00 for Emergency Management (PO #5722)
- Advanced Cleaning Equipment in the amount of \$18,167.00 for the Facilities department (PO #5801)
- WCP Solutions in the amount of \$39,480.00 for the Information Technology department (PO #5811)
- Hyland in the amount of \$3300.00 for the Information Technology department (PO #5786)
- ESRI, Inc. in the amount of \$56,564.69 for the Information Technology department (PO #5785)

- Idera, Inc. in the amount of \$9643.13 for the Information Technology department (PO #5809)
- Quadient, Inc. in the amount of \$27,261.86 for the Information Technology department (PO #5810)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Spencer Guier, Deputy Prosecuting Attorney I – Criminal

APPROVED MINUTES

The Board approved the minutes for the July 2023 and August 2023 terms.

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. Carl Ericson, Deputy P.A. Oscar Klaas (left at 9:37 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Cpt. Ray Talbot (left at 9:36 a.m.), Lt. Russell Donnelly (left at 9:36 a.m.), COO Greg Rast, Director of Constituent Services Rick Hogaboam (arrived at 9:37 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Services Agreement with Canyon County Crime Stoppers of Southwest Idaho: This is the same as last year's agreement and the Sheriff's Office would like to continue the relationship between the two organizations. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with Canyon County Crime Stoppers of Southwest Idaho (see agreement no. 23-135).

Consider a Resolution Approving Award of Badge and Duty Weapon: Sgt. Betty Cossins started with the Sheriff's Office in 1995 will be retiring soon. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving award of badge and duty weapon (see resolution no. 23-227).

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 9:38 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 roll call vote was taken on the motion by Commissioner Holton with Commissioners Van Beek, Brooks and himself 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, COO Greg Rast and Director of Constituent Services Rick Hogaboam. The Executive Session concluded at 9:55 a.m. with no decision being called for in open session.

The meeting concluded at 9:55 a.m. and an audio recording of the open portion is on file in the Commissioners' Office.

CONSIDER SIGNING DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION

The Board met today at 10:03 a.m. in Justice Park to consider signing a Domestic Violence Awareness Month Proclamation. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Constituent Services Rick Hogaboam, COO Greg Rast, Kim Deugan with AAFV, Jeannie Strohmeyer with Nampa Family Justice Center and Deputy Clerk Jenen Ross. Commissioner Van Beek and Ms. Deugan offered comments regarding domestic violence. After reading the proclamation, Commissioner Van Beek made a motion to sign. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 10:12 a.m.

MEETING TO CONSIDER ACTION ITEMS

The Board met today to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution granting a transfer alcoholic beverage license to SLCH Asian Grocery LLC dba Asian Grocery

And

Consider a resolution granting a new alcoholic beverage license to HarWest Group LLC dba The Syringa Lounge

The Board indicated they have reviewed the applications and did not see any issues. Commissioner Brooks made a motion to sign the resolutions granting a transfer alcoholic beverage license to SLCH Asian Grocery LLC dba Asian Grocery (see resolution no. 23-228) and a new alcoholic beverage license to HarWest Group LLC dba The Syringa Lounge (see resolution no. 23-226). The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 10:29 a.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE § 74-206(1) (A) REGARDING PERSONNEL MATTER

Commissioner Van Beek made a motion to go into Executive Session at 10:30 a.m. pursuant to Idaho Code, Section 74-206(1) (a) regarding personnel matters. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion by Commissioner Holton with Commissioners Van Beek, Brooks and himself 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, DSD Director Sabrina Minshall, DSD Candidate and COO Greg Rast. The Executive Session concluded at 11:28 a.m. with no decision being called for in open session.

MEETING WITH THE EMERGENCY MANAGER FOR UPDATE ON THE IDAHO POWER SUBSTATION SITUATION

The Board met today at 3:35 p.m. for a meeting with the Emergency Manager for an update on the Idaho Power Substation situation. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Emergency Manager Christine Wendelsdorf, Chief Deputy Sheriff Doug Hart, PIO Joe Decker, Admin. Specialist Amanda Hedrick, Director of Constituent Services Rick Hogaboam, and Deputy Clerk Monica Reeves. Emergency Manager Wendelsdorf gave a PowerPoint presentation titled *Idaho Power Battery Fire*, a copy of which is on file with this day's minute entry. Dispatch received a call from Owyhee County on October 2, 2023 about a fire in Melba near an Idaho Power Substation involving lithium iron phosphate batteries. The batteries were staged at the substation waiting for installation as a battery backup in the event of a power outage. The manufacturer said the safest way to address the fire was to let the batteries burn themselves out on their own because if water was applied it would cause a chemical reaction. A 200 foot perimeter was set up around the site and roads were shut down to traffic. The fire burned for four days. The cause of the fire is unknown and is still under investigation. Ms. Wendelsdorf reported on the efforts the emergency management office provided during the incident. Air quality monitoring was completed, there were no air quality issues during the incident. Canyon County Emergency Management and Idaho Power have been working together for months to train and plan in the event an incident such as this one were to happen, and the training and planning paid off. Chief Hart spoke about ways to improve the flow of information in future instances such as meeting with the Board earlier so they can be briefed on the situation, and how the emergency manager should be the single point of contact for the dissemination of information. There was discussion regarding the emergency declaration process, and the need for Chief Hart and Mr. Rast to meet with the Legal regarding the process to be able to meet with the Board in a timely fashion when emergencies occur. The meeting concluded at 4:04 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED CLAIMS

- The Board has approved a travel advance claim in the amount of \$653.50

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Rick Soto, HR Investigator
- Bianca Bustamante, Housekeeper
- Nate Campbell, Maintenance Tech.
- Garrett Saucedo, Maintenance Tech.
- Brandi Clough-Kolka, CCSO Victim Witness Coordinator
- Guadalupe Tovar, CCSO Victim Witness Coordinator
- Michelle Marmolejo, CCSO Criminalist
- Douglas Ward, CCSO Emergency Communications Officer I
- John Sanchez, CCSO Forensic Services Supervisor
- Curt Barr, CCSO Criminalist

CONSIDER SIGNING DEVELOPMENT AGREEMENT AND ORDINANCE FOR CASE NO. RZ2021-0047 AND DEVELOPMENT AGREEMENT AND ORDINANCE FOR CASE NO. RZ2021-0059

The Board met today at 10:30 a.m. to consider signing the development agreement and ordinance for Case No. R2021-0047 (CS2, LLC), and the development agreement and ordinance for Case No. RZ2021-0059 (Black Summit, LLC). Present were: Commissioners Brad Holton and Zach Brooks, DSD Planner III Michelle Barron, and Deputy Clerk Monica Reeves. Commissioner Leslie Van Beek arrived at 10:31 a.m. The action items were considered as follows:

Case No. R2021-0047 (CS2, LLC), Michelle Barron said the applicant has signed their consent and the documents are ready for the Board's signature. Following review Commissioner Brooks made a motion to approve the development agreement and the ordinance amendment for Case No. RZ2021-0047. The motion was seconded by Commissioner Holton and carried unanimously. (Agreement No. 23-136, and Ordinance No. 23-008.)

Case No. RZ2021-0059 (Black Summit, LLC), Commissioner Holton said the conditions he was concerned about are present and the owner has signed it. Commissioner Brooks said everything the Board agreed to approve in writing is there. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve and sign the development agreement and the ordinance amendment for Case No. RZ2021-0059. (Agreement No. 23-137, and Ordinance No. 23-009.)

The meeting concluded at 10:33 a.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 12, 2023

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Ruth Coose, DPA II – Criminal
- Matthew Dyal, DPA II – Criminal
- Delia Hanes, DPA I – Criminal
- Andrew Haws, DPA II – Criminal
- Stephanie Morse, DPA II – Criminal
- Victor Holliday, IT Lead Technical Services
- Curtis Long, IT Network Administrator
- Dave Larson, IT Computer Network Technician
- Chris Everett, IT Network Architect
- Brad Snell, IT Computer Network Technician
- Jairo Rodriguez, IT Operations Manager
- Tom McGarry, IT Computer Technician

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Freedom Munitions in the amount of \$3992.30 for the TCA/District Court (PO #5206)
- Wilbur-Ellis in the amount of \$4451.20 for the Facilities department (PO #5802)
- R&H in the amount of \$2070.09 for the Facilities department (PO #5803)

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:38 a.m. with county attorneys for a legal staff update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, COO Greg Rast and Deputy Clerk Jenen Ross. Mr. Rast asked about the following items:

- E-signatures: legal is working to determine if an ordinance or resolution will be necessary. This is a new area for them so it is taking some time to work thru. The goal deadline is January 1, 2024.

- No camping on campus ordinance: legal is working thru this; there is a lot of information surrounding this issue and it is more nuanced than just saying “no overnight camping on county property”.
- Mr. Rast will be meeting with Sabrina Minshall and Zach Wesley today for a discussion regarding original parcels.
- Mr. Ericson will ask Mr. Wesley for an update on the URD taxing district letter.
- Mr. Rast met yesterday with the Ada County COO and CIO where they discussed the project management workflow for the Prosecutor’s Office.
- Engagement letter for outside counsel.
- Sheriff’s Office garnishment fees: legal hasn’t seen anything from the Sheriff’s Office yet although Mr. Rast will be meeting later today with Chief Hart where he will ask about this.

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 9:51 a.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 Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson and COO Greg Rast. The Executive Session concluded at 9:53 a.m. with no decision being called for in open session. The meeting concluded at 9:53 a.m. and an audio recording is on file in the Commissioners’ Office.

WORKSHOP WITH THE CHIEF OPERATING OFFICER

The Board met today at 10:33 a.m. for a workshop with the Chief Operating Officer where the focus was on priorities and the tasks he has accumulated in the last 10 months as well as items that are still pending. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Constituent Services Director Rick Hogaboam, and Deputy Clerk Monica Reeves. COO Rast reviewed the project manager software he uses to track his efforts in the following three (3) portfolios: BOCC Department Administrator portfolio; Elected Official Portfolio; and BOCC Upcoming. He wants to focus on the top 5 to 8 priorities and what he and Director Hogaboam will focus on as the priority. (A copy of the spreadsheet that lists the tasks/topics is on file with this day’s minute entry.) There was a review and discussion of the tasks/projects for the following portfolios:

BOCC Department Administrators

- Ambulance District
- IT
- City of Caldwell

- Constituent Services
- County Agent (Extension Office)
- Development Services
- Fairgrounds
- Facilities
- Fleet
- Human Resources
- Juvenile Detention
- Juvenile Probation
- Landfill
- Misdemeanor Probation
- Parks and Recreation
- Public Defender
- TCA
- Weed and Pest

BOCC Upcoming

This portfolio consists of a lot of the major work that is happening with the Board and the daily and weekly tasks the COO focuses on.

- BOCC Focus
- COO Focus
- PA Civil Work Focus
- Policy Development
- Jail Project
- Backlog 2023 & 2024

***Note - Director Hogaboam advised that a gas explosion had occurred at the intersection of Duff and Purple Sage Road in Middleton and was significant enough it was heard in Nampa; there is concern because there is rumbling and hissing that can be heard outside the courthouse. They are evacuating a 4-mile radius in Middleton. Sheriff's personnel are there and a command post has been set up at the LDS Church near the high school.*

COO Rast asked if the Board is open to the idea of having monthly elected officials meetings again. Commissioner Van Beek said there were no agendas for those meetings and some of the meetings were held in executive session when perhaps they didn't qualify for executive session. COO Rast said the intent is to keep the communication open between offices and there would be a clear agenda. Commissioner Brooks said the Board communicates with the other elected officials as needed fairly frequently and easily, and he doesn't think the Board needs to have monthly meetings with the elected officials. COO Rast said he plans to meet monthly with Clerk Yamamoto to keep communication going with the budget.

Director Hogaboam said as we get closer to the legislative session he would like to schedule meetings with the elected officials to hear what concerns they might have and what they are lobbying for or against and then he will update the Board at a workshop. Commissioner Brooks supports that idea, and said he envisions this Board will be more active than prior Boards have been in legislative issue so he would be in favor of meeting with the elected officials when it's specific to legislative issues. Commissioner Van Beek supports it as well. At 12:00 p.m. Commissioner Holton made a motion to adjourn for lunch and continue the meeting to 1:30 p.m. this afternoon. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting resumed at 1:50 p.m. with the same parties in attendance as noted above. COO Rast continued reviewing the COO daily/weekly tasks with follow-up discussion.

Commissioner Van Beek's top priorities are:

- Meeting with Todd Lakey on the comprehensive plan and the 2024 legislation.
- Impact fees.
- George Nourse Gun Range Safety and Expansion with Advisory Committee. *Commissioner Holton supports this project; however, he doesn't see it is a priority right now given other issues that need attention.*
- Meeting with Fish & Wildlife - urban conservation plan.
- Eide Bailly Audit for FY2023 - Include a transactional audit of self-insured trust account/journal entries/fuel expenditures.
- Statute review for a landfill transfer station and partnership with Timbercreek Recycling. *Commissioner Holton is agreeable to a policy, but not with a specific company.*
- Buildings/Infrastructure.
- PCN Transfer for the Budget & Policy Analyst position. *Commissioner Brooks doesn't believe this item is a top 5 priority. COO Rast said he has a plan for this item.*
- PA Civil work focus items. *COO Rast said he is actively watching the civil items to make sure they are moving forward.*
- Policy handbook sections. *COO Rast said if they establish a budget and policy analyst position a lot of the focus will be drafting what that looks like with the BOCC, COO Rast, and Director Hogaboam.*
- Jail project/public safety - priority with subprojects. *Commissioner Holton wants to talk with the Sheriff about this.*
- Gem Plan and trustee board discussion w/RFAQ. *COO Rast wants to initiate the conversations on this issue rather than have it be a BOCC priority.*
- Grant writer under the Constituent Services Department. *Director Hogaboam said the initial focus is to fill the communications position and grant writing could be one of the job responsibilities. The Auditor's Office would need to assist with grant reports, etc. He will do more factfinding and report back to the BOCC. With respect to opioid settlement funds, the expenditures have to be approved by the Board and there is a significant amount of money the County will receive that could be expended on allowable uses. He is happy to assist with*

ideas on how to expend the monies. The BOCC is interested in seeing a list of allowable uses. A workshop will be scheduled.

Commissioner Holton's priorities are:

- Update the property tax public website with a 5-year reporting history, and have a tentative levy rate. *COO Rast said this is already in progress.*
- Bulk storage for diesel fuel.
- Land use development/ordinances.

The Board took a brief recess at 2:21 p.m. and went back on the record at 2:31 p.m. with a continued review of the list of projects and setting priorities. Following discussion, it was determined that the Board's top priorities are as follows:

BOCC TOP PRIORITIES:

- Eide Bailly audit for FY2023 - Include a transactional audit of self-insured trust account/journal entries/fuel expenditures
- Public Safety Buildings (Admin/Jail)
- Ordinance/comprehensive plan/GPA project
- Meet with Todd Lakey (Topic of comp Ag 2040 plan & 2024 legislation)
- Impact fees –Re-establish committee, membership, CIP, and evaluation
- Review of 13 statutes – Landfill Transfer Stations
- Security for Administration Building - City of Caldwell/ADJ/Sheriff's Office
- George Nourse Gun Range Safety and Expansion with Advisory Committee/CCSO Gun Range and Training Facility

Commissioner Brooks wants to meet monthly or every six weeks to re-evaluate where the Board is at with the items on the list. Commissioner Van Beek said she heard earlier today there is an engagement of Eide Bailly, but there isn't a contract so she has questions about what they are in the building evaluating. She wants the Board to have a discussion on the funds, the depth, and the dollar amount of what Eide Bailly looks at in specific targeted areas. Commissioner Brooks agrees and asked what the process is to engage an outside auditor. Commissioner Holton said statutorily it's the Clerk's responsibility to cause and plan for an annual audit and he assumes it should be ran by the Board about what the potential cost for the annual audit is going to be. He has not seen the engagement letter but there are auditors from Eide Bailly in the Clerk's Office today. Commissioner Brooks said he will have an issue if he receives an invoice for an audit when the Board did not sign an engagement letter. Commissioner Holton concurs. Commissioner Van Beek said the Board has the ability to direct Eide Bailly to look at internal controls, which has not ever been done, and to look at select accounts and she wants the Board to be thoughtful and strategic with major funds and the level of scrutiny that the Board deems is merited given this past budget season. Commissioner Holton said that can be done above and beyond what the Clerk statutorily does annually. He then asked COO Rast to contact Eide Bailly and request they meet with the Board to explore what that looks like and how we can craft that kind of directive. COO

Rast said he will ask the Clerk and Controller if an engagement letter for FY2023 has been signed. He agrees that a workshop is warranted with Eide Bailly to determine what they are actually auditing. Director Hogaboam will gather information related to the impact fees project. Most entities contract for consulting services, and Galena Consulting is a common company that's used and it would involve interacting with the Facilities Dept., and on what the existing assessed values are to establish criteria for the capital improvement plan that needs to be created; the Sheriff's Office; Ambulance District; Parks Dept.; County Fair; and DSD. He will review it again in a public workshop to target what they're looking at. He will also see if Senator Lakey will meet with the Board about his potential legislation on land use and answer some questions.

The meeting concluded at 3:15 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING CHANGE ORDER NO. 1 FOR LANDFILL DUST CONTROL SYSTEM PROJECT

The Board met today at 1:39 p.m. to consider signing change order no. 1 for the Landfill Dust Control System Project. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Chief Deputy P.A. Carl Ericson, Solid Waste Director David Loper, COO Greg Rast and Deputy Clerk Jenen Ross. Director Loper explained that in the contract with Desert View Construction there are provisions for liquidated damages if the deadline of September 30, 2023 was not met. However, in his meetings and discussions it does not appear that the missed deadline was the fault of the contractor but due to long lead times of certain elements of the project. This change order will allow for a 31- day extension to October 31, 2023; if the project is not completed by the new deadline there will need to be another evaluation. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve change order no. 1 for the landfill dust control system project (see agreement no. 23-138). The meeting concluded at 1:44 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION TO MAKE ONE (1) POSITION CHANGE IN INFORMATION TECHNOLOGY FOR A PCN TITLE, SALARY GRADE CHANGE, AND SALARY ADJUSTMENT

The Board met today at 4:34 p.m. to consider a resolution to make (1) position change in Information Technology for a PCN title, salary grade change and salary adjustment. Present were: Commissioners Leslie Van Beek and Zach Brooks, Director of Constituent Services Rick Hogaboam, COO Greg Rast, Deputy Clerk Jenen Ross. Mr. Rast informed the Board that HR is not prepared to meet on this today. Commissioner Van Beek noted that this meeting will be rescheduled to Friday, September 13, 2023 at 1:30 p.m. The meeting concluded at 4:34 p.m. and an audio recording is on file in the Commissioners' Office.

OCTOBER 2023 TERM
CALDWELL, IDAHO OCTOBER 13, 2023

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Chimene Eisfelder, Deputy Sheriff – Inmate Control
- Cody Frailey, Corporal – Patrol
- Bryce Moore, Sergeant – CCNU
- William Hopkins, Deputy Sheriff - Inmate Control
- Stephen Craig, Corporal – Patrol
- Lucas Martin, Deputy Sheriff – Inmate Control
- Garrett Hilsabeck, Deputy Sheriff – Inmate Control
- Chaz Howell, Deputy Sheriff – Inmate Control
- Ryan Cronrath, Programmer Analyst II

CONSIDER RESOLUTION TO MAKE ONE (1) POSITION CHANGE IN INFORMATION TECHNOLOGY FOR A PCN TITLE, SALARY GRADE CHANGE, AND SALARY ADJUSTMENT

The Board met today at 1:36 p.m. to consider a resolution to make (1) position change in Information Technology for a PCN title, salary grade change and salary adjustment. Present were: Commissioners Leslie Van Beek and Zach Brooks, IT Director Steven Higgins, Assistant IT Director Eric Jensen, HR Director Kate Rice, HR Business Partner Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross. Commissioner Brad Holton arrived at 1:41 p.m. Mr. Rast explained that this salary change has already been approved in the FY24 budget and that the reclassification and lead pay make-up the salary increase. Additionally, he provided an explanation of PCN changes and reclassifications within IT. At this time the job description will not be part of the resolution as they are working to revise and update all descriptions over the coming months. Discussion ensued in generalities regarding the person who will be filling this position and why they are a good fit. Commissioner Van Beek made a motion to adopt the changes to the title and the job salary range of one (1) position in Information Technology from one Programmer Analyst I with the ensuing salary information and the PCN of 16 237 757, FLSA exempt to one (1) Programmer Analyst II with a higher-grade salary range and that is reflected in the document that includes \$2500 in lead pay with a total salary impact of \$14,512.00 as presented. The motion was seconded by Commissioner Holton and carried unanimously (see resolution no. 23-230). The meeting concluded at 1:50 p.m. and an audio recording is on file in the Commissioners' Office.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 16, 2023

There were no meetings scheduled today.

APPROVED CLAIMS

- The Board has approved a travel advance claim in the amount of \$402.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Calero Software LLC in the amount of \$1193.25 for the Information Technology department (PO #5814)
- Right! Systems, Inc. in the amount of \$36,699.95 for the Information Technology department (PO #5818)
- IdentiSys, Inc. in the amount of \$1032.00 for the Information Technology department (PO #5813)
- Discount Two-Way Radio in the amount of \$7115.75 for the Juvenile Detention Center (PO #5829)
- R&H Supply in the amount of \$4184.53 for the Facilities department (PO #5804)
- R&H Supply in the amount of \$13,387.05 for the Facilities department (PO #5805)

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Capitol Bar to be used 10/20/23.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 17, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Idaho Survey Group in the amount of \$14,950.00 for the Landfill department (PO #5728)
- Idaho Tower in the amount of \$3,160.00 for the Information Technology (PO #5815)
- Idaho Tower in the amount of \$3,160.00 for the Information Technology (PO #5816)
- Motorola Solutions, Inc., in the amount of \$58,182.20 for the Fleet department (PO #5768)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Justin Hutton, Heavy Equipment Operator

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. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Alex

Klempel, Deputy P.A. Laura Keys, EOM Christine Wendelsdorf (left at 9:42 a.m.), Facilities Director Rick Britton (arrived at 9:32 a.m. and left at 9:41 a.m.), Controller Zach Wagoner (left at 9:42 a.m.), Director of Constituent Services Rick Hogaboam and Deputy Clerk Jenen Ross.

Consider Real Estate Lease Agreement with West Valley Humane Society: Mr. Wesley provided a brief overview of the contract noting that they only changes were at the request of Director Britton and Mr. Rast; no changes were requested by the humane society. The county has budgeted \$300,000 to the animal shelter; \$200,000 is allocated to services and \$100,000 is allocated to building and maintenance costs. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Real Estate Lease Agreement with West Valley Humane Society (agreement no. 23-139).

Consider Buyer Representation Agreement with Norm Brown: Director Britton would like to engage with Norm Brown for assistance with purchasing properties around county campuses. This is a one-year agreement and fees will only be applied if there is a purchase or sale. Mr. Klaas indicated this is a standard realty agreement and Mr. Brown may be a dual agent representing the buyer and seller if necessary. Discussion ensued regarding exclusivity of using Mr. Brown. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the Buyer Representation agreement with Norm Brown (agreement no. 23-140).

Consider Service Agreement with Motorola: Ms. Wendelsdorf explained this is the standard renewal agreement for maintenance of the radio towers. The only change to the agreement is a slight increase to the cost. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the service agreement with Motorola (agreement no. 23-141).

Consider resolution approving a new alcoholic beverage license for Mi Ranchito: This application has been reviewed by the Board and there were no questions or concerns. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving a new alcoholic beverage license for Mi Ranchito (resolution no. 23-231).

Mr. Klaas said there has been contact from a party interested in purchasing the Anderson Corner property. The Board authorized Mr. Klaas to reach out and get more information.

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 9:45 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys and Director of Constituent Services Rick Hogaboam. The Executive Session concluded at 10:02 a.m. with no decision being called for in open session.

The meeting concluded at 10:02 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 18, 2023

APPROVED CLAIMS

- The Board has approved claims 599264-599304 in the amount of \$63,016.11

APPROVED PAYROLL OCTOBER 20, 2023

The Board approved the October 20, 2023 payroll in the amount of \$2,439,802.08

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Jumper Cables Embroidery in the amount of \$1,920.20 for the Development Services Department (PO #5830)

MEETING WITH REPRESENTATIVES FROM IDAHO POWER REGARDING BATTERY FIRE INCIDENT ON OCTOBER 2, 2023

The Board met today at 2:01 p.m. with representatives from Idaho Power regarding the battery fire incident on October 2, 2023. Present were: Commissioners Brad Holton and Zach Brooks, Commissioner Leslie Van Beek (arrived at 2:06 p.m.), EOM Christine Wendelsdorf, Lt. Ray Talbot (left at 2:49 p.m.), Megan Ronk, Eric Hackett, Bill Norris and Angelique Rood with Idaho Power and Deputy Clerk Jenen Ross. The representatives from Idaho Power provided a PowerPoint presentation to the Board which covered the following topics:

- Incident review
- Air quality testing results
- Fire response and investigation

- Inspection and remediation
- Other lessons learned
- Current and future battery storage needs
- Melba project timeline
- Cycle of electric grid
- How batteries can help

The meeting concluded at 3:06 p.m. and an audio recording is on file in the Commissioners' Office.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 19, 2023

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for Capitol Bar to be used 10/26/23; and Legends Sports Pub & Grill to be used 11/24/23.

APPROVED CLAIMS

- The Board has approved claims 599227 to 599257 in the amount of \$59,110.97
- The Board has approved claims 599350 to 599362 in the amount of \$22,875.00
- The Board has approved claims 599407 to 599456 in the amount of \$741,270.43
- The Board has approved claims 599457 to 599498 in the amount of \$387,190.50
- The Board has approved claims 599499 to 599538 in the amount of \$41,791.62
- The Board has approved claims 599305 to 599349 in the amount of \$127,803.52
- The Board has approved claims 599363 to 599406 in the amount of \$283,904.28
- The Board has approved claims 599539 to 599559 in the amount of \$9,641.00
- The Board has approved claims 599626 to 599664 in the amount of \$115,600.63

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SANS Security Awareness in the amount of \$6660.00 for the Information Technology department (PO #5817)
- WBS in the amount of \$1117.16 for the Facilities department (PO #5807)
- WBS in the amount of \$1373.16 for the Facilities department (PO #5806)
- Command Sourcing in the amount of \$18,741.12 for the Sheriff's Office (PO #5831)

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, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Cpt. Ray Talbot (left at 9:35 a.m.), Deputy Treasurer Tonya May (left at 9:38 a.m.), Chief Deputy Sheriff Doug Hart (left at 9:35 a.m.), Director of Constituent Services Rick Hogaboam, Principal Planner Dan Lister (left at 9:44 a.m.) and Deputy Clerk Jenen Ross. The actions items were considered as follows:

Consider License and Services Agreement with Tyler Technologies: The agreement has been reviewed by Mr. Klaas and Cpt. Talbot worked with Director Higgins and Mr. Rast. This is a new contract for civil software to increase efficiency. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the license and services agreement with Tyler Technologies (see agreement no. 23-142).

Consider Notice of Surplus Property Auction: This notice needs to publish 14 days prior to the auction which will be held November 8th. At the request of Commissioner Van Beek, Ms. May spoke to the process her office goes thru before taking a property for tax deed. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the notice of surplus auction.

Consider Resolution Declaring Properties as Not Necessary for County Use and Authorizing the Sale thereof: This year there was no contact with the housing authorities in regard to donation of property but it may be something to be considered next year. This year they would have the same options as the public to purchase property if they so choose. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution declaring properties as not necessary for county use and authorizing the sale thereof (see resolution no. 23-232).

Commissioner Holton left the meeting at 9:41 a.m.

Consider FCO's for Case No. CR2022-0024, John and Sherry Anderson's request for a conditional rezone: Mr. Lister said the FCOs have been reviewed by legal. Ms. Keys explained that her and Mr. Wesley worked thru the FCOs this past week in order to add some additional details, particularly to the ones that were denials in order to make the conclusions and reasons very clear. Commissioner Van Beek made a motion to sign the FCOs, which is a denial, for case no. CR2022-0024 for John and Sherry Anderson's request for a conditional rezone. The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Holton rejoined the meeting at 9:45 a.m.

Discussion ensued regarding the following subjects:

- Draft version of potential overnight parking/camping ordinance.

- VRT Cooperative agreement will be updated to remove Zach Wagoner as the point of contact; the new contact will be COO Greg Rast with a copy to the Board.
- Legal will work on a script for property auction to be conducted on November 8th.
- A land use issue will be coming forward regarding a small parcel of land that was taken by tax deed and now owned by the county. Canyon Highway District 4 has requested the parcel be deeded to them. Mr. Wesley said he is still working thru those documents.

The meeting concluded at 10:03 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION ADOPTING CHANGES TO THE JOB TITLE AND SALARY GRADE OF TWO (2) POSITIONS IN THE FACILITIES DEPARTMENT

The Board met today at 11:02 a.m. to consider a resolution adopting changes to the job title and salary grade of two (2) positions in the Facilities department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Constituent Services Rick Hogaboam, Facilities Director Rick Britton, Assistant Director of Facilities Carl Dille and Deputy Clerk Jenen Ross.

Director Britton is requesting to change two PCNs which was included in the FY24 budget. He would like to change two Maintenance Technician positions to Maintenance Specialist positions due to their experience and the responsibilities they've taken on; both of them should be considered journeymen.

Director Britton provided budgetary numbers of projects by using these individuals vs. subcontracting.

Commissioner Van Beek made a motion to sign the resolution adopting the changes to the job title and salary grade of two positions in the Facilities department, they are both Maintenance I Technicians moving to Maintenance I Specialists with the associated pay increases as noted. The motion was seconded by Commissioner Brooks and carried unanimously (see resolution no. 23-233).

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

OCTOBER 2023 TERM
CALDWELL, IDAHO OCTOBER 20, 2023

EMERGENCY EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTIONS, 74-204(2); AND 74-206(1) (B), (D), AND (F)

The Board went on the record today at 4:18 p.m. for an emergency meeting/executive session. Present were: Commissioners Leslie Van Beek and Brad Holton, Commissioner Zach Brooks (via conference call), Constituent Services Director Rick Hogaboam, HR Director Kate Rice, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, Deputy PA Alex Klempel, Chief Operating Officer Greg Rast via conference call, and Deputy Clerk Monica Reeves. Chief Civil Deputy PA Ericson said although we do not know the particulars as to what the meeting is from Legal's understanding there is a situation that has arisen that entails some personnel issues as well as functioning of the County going forward. Idaho Code, Section 74-204(2) allows an emergency meeting that can deal with some financial loss and these are personnel issues that need to be addressed also. Knowing that we are sharing information to get an understanding of what's going on, he believes an emergency meeting can be held with an Executive Session under Idaho Code, Section 74-206(1)(a), (b), (d), and (f).

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND COMMUNICATE WITH THE COUNTY'S LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 4:20 p.m. pursuant to Idaho Code, Section 74-204(2), and Section 74-206(1) (b), (d) and (f) to discuss a personnel matter, records exempt from public disclosure, and to communicate with the County's legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton. A voice vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were Commissioners Leslie Van Beek and Brad Holton, Commissioner Zach Brooks (via conference call), Constituent Services Director Rick Hogaboam, HR Director Kate Rice, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, Deputy PA Alex Klempel, and Chief Operating Officer Greg Rast (via conference call). The Executive Session concluded at 5:05 p.m. with no decision being called for in open session.

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

OCTOBER 2023 TERM
CALDWELL, IDAHO OCTOBER 23, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Prime Construction in the amount of \$6,060.85 for the Facilities Department (PO #5852)
- Dell in the amount of \$11,014.78 for the Information Technology Department (PO #5821)
- United Rentals in the amount of \$7,500.00 for the Facilities Department (PO #5671)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Dustin Moore, promotion to Maintenance Specialist
- Jose Carranza, promotion to Maintenance Specialist
- Robert Villegas, Deputy Judicial Marshal

SNAKE RIVER EXCURSION

The Board went on an excursion on the Snake River with Parks Director Nicki Schwend this morning. It was not a Commissioner meeting. There will be no motions, action items, or Board direction entertained or given.

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH THE COUNTY’S LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 3:46 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) to discuss a personnel matter, records exempt from public disclosure, and to communicate with the County’s legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, Clerk Chris Yamamoto, Controller Zach Wagoner, HR Director Kate Rice, HR Business Partner Kendra Elgin, and COO Greg Rast who participated via conference call. The Executive Session concluded at 4:29 p.m. upon the motion of Commissioner Van Beek and the second by Commissioner Brooks. The motion carried unanimously. No decision was called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners’ Office.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 24, 2023

APPROVED CLAIMS

- The Board has approved claims 599560 to 599600 in the amount of \$76,102.47

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Plumbmaster in the amount of \$7,178.66 for the Facilities Department (PO #5851)

File in minutes

The Treasurer's monthly report for August 2023 is filed with this day's minutes.

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, Chief Deputy P.A. Carl Ericson (left at 10:02 a.m.), Deputy P.A. Zach Wesley (left at 10:02 a.m.), Deputy P.A. Laura Keys (left at 10:02 a.m.), Treasurer Tracie Lloyd (left at 9:48 a.m.), Compensation and Benefits Manager Bosco Baldwin (left at 9:48 a.m.), Controller Zach Wagoner (left at 9:54 a.m.), Director of Indigent Services Yvonne Baker (left at 9:48 a.m.), Lt. Martin Flores (left at 9:48 a.m.), Fleet Director Mark Tolman (left at 9:48 a.m.), Deputy Treasurer Tonya May (left at 9:48 a.m.), Assistant Director of Juvenile Detention Shawn Anderson (left at 9:48 a.m.), County Agent Tasha Howard (left at 9:53 a.m.), CCSO PIO Joe Decker (left at 9:48 a.m.), Director of Constituent Services Rick Hogaboam (left at 10:02 a.m.), Cpt. Ray Talbot (left at 9:48 a.m.), Assistant Fleet Director Dawn Pence (arrived at 9:42 a.m.) and Deputy Clerk Jenen Ross.

Consider a Resolution Authorizing the Inclusion of Certain Charges, Other than Property Taxes, on Tax Notices: Charges to be included are from the cities of Nampa and Caldwell and Canyon County Development Services related to nuisance abatement costs. Commissioner Van Beek's questions were addressed by Treasurer Lloyd and Ms. Keys. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution authorizing the inclusion of certain charges, other than property taxes, on tax notices (resolution no. 23-234).

Consider Juvenile Detention Housing Agreement with Elmore County: Standard agreement where the county provided detention services for neighboring counties. Only change is the fee increase.

Consider Agreement between Ada County and Southwest Idaho Juvenile Detention Center and the Idaho State Department of Juvenile Corrections FY2024: This is a historic agreement that has been in place as an emergency provision of service such as a power outage or some other emergency situation where juveniles couldn't be housed.

Commissioner Van Beek made a motion to sign the agreement between Ada County and Southwest Idaho Juvenile Detention Center and the Idaho State Department of Juvenile Corrections FY2024 (agreement no. 23-149) and the Juvenile Detention Housing agreement with Elmore County (agreement no. 23-148). The motion was seconded by Commissioner Holton and carried unanimously.

Consider First Amendment to Memorandum of Understanding Between the Government Employees Medical Plan and Canyon County: The county is member of joint powers agreement with many other counties in the state to facilitate health coverage for employees; it is still self-insured but

the GEM Plan does much of the work involved in having the Blue Cross plan in place. GEM Plan uses Mutual Insurance as an administrator so when the county entered the agreement with GEM Plan it also agreed to pay a service fee to Mutual Insurance to do some of the work for the county. The health care trustees along with HR have continued conversations with Mutual Insurance in order to narrow down the services that are providing directly to Canyon County, a change in the scope of work has been negotiated to reflect the work actually being done and providing a discount per employee per month. Today's amendment amends the scope of work that is in place and provides the discounted fee rate beginning July 1st. Following comments from Mr. Baldwin about the work he and Ms. Ahlstrom did regarding the Mutual Insurance scope of work, Commissioner Van Beek expressed her support for evaluating the options for a brokered service for this work. Commissioner Van Beek made a motion for the Board to approve the first amendment to the memorandum of understanding between the Government Employees Medical Plan and Canyon County with enumerated changes that there was a reduction, \$15/hour [*per employee per month*] to \$13.50/hour [*per employee per month*], to more accurately reflect what it is that they are actually doing. The motion was seconded by Commissioner Holton and carried unanimously. See agreement no. 23-143.

Consider Cooperative Agreement for University of Idaho Extension Programs and Consider Agreements for Loaned Employees with University of Idaho: Zach Wesley explained these are a series of agreements the county has worked with the university on over the past few years. The master agreement is an MOU between the county and the university that establishes the program. The university agrees to provide the educators and university employees that assist the community in Canyon County and the county provides the building they work from, copiers, some transportation and the secretarial/administrative staff. The main MOU sets out the program and the budget and then there are the loaned employee agreements with the university that essentially states that if the university instructs a Canyon County employee to do something then the university is liable and if Canyon County directs a Canyon County employee to do something then the county is liable. Commissioner Van Beek made a motion that the Board signs the agreement for loaned employees between the University of Idaho and Canyon County as presented. The motion was seconded by Commissioner Holton and carried unanimously (agreement nos. 23-144, 23-145 and 23-146). Commissioner Van Beek made a motion that the Board of County Commissioners sign the Cooperative agreement for the University of Idaho Extension Programs as presented. The motion was seconded by commissioner Holton and carried unanimously (agreement no. 23-147).

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 9:54 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 Holton. Commissioner Holton took a roll call vote where he along with Commissioner Van Beek voted in favor of the motion to enter into Executive

Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, and Director of Constituent Services Rick Hogaboam. The Executive Session concluded at 10:01 a.m. with no decision being called for in open session.

Commissioner Holton noted for the record that legal staff will be continued to 2:30 p.m. today.

The remaining action items were taken up as follows:

Consider resolution granting a new alcoholic beverage license to Kolbeh, LLC dba Kolbeh Bar & Grill:

Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Kolbeh, LLC dba Kolbeh Bar & Grill (see resolution no. 23-235).

Consider resolution granting a new alcoholic beverage license to Dunning Estates LLC dba Dunning

Estates: Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Dunning Estates LLC dba Dunning Estates (see resolution no. 23-236).

The meeting concluded at 10:05 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:33 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy Sheriff Doug Hart, Cpt. Ray Talbot, Controller Zach Wagoner, HR Director Kate Rice, HR Business Partner Cindy Lorta and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider recommendation of updated civil fee calculations for the Sheriff's Office: Cpt. Talbot presented an amendment to what was presented a couple weeks ago explaining that after the first meeting they reevaluated the fee calculations to be based on cost per service and accounting for FY24 salaries. A document outlining changes and revised fees is on file with this day's minutes. Commissioner Van Beek made a motion that the Board of County Commissioners approve the amendment to the CCSO Records and Civil Unit Cost with the attached fee analysis which is supported and increases transparency per Idaho Code 11-729 as cited by Chief Deputy Hart. The motion was seconded by Commissioner Holton and carried unanimously.

Consider resolution approving position control numbers (PCN's) for the Sheriff's Office: Chief Hart explained that with the FY24 budget the Board approved 5 new positions; a full-time marine deputy and 4 full-time patrol deputy positions. Controller Wagoner has provided 5 new PCNs for the Sheriff's Office to use for these positions. Commissioner Van Beek made a motion that the Board of County Commissioners sign the resolution approving the PCNs for the Sheriff's Office as

presented. The motion was seconded by Commissioner Holton and carried unanimously (see resolution no. 23-244).

The meeting concluded at 10:46 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 11:03 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Brad Holton, Director of Indigent Service Yvonne Baker and Deputy Clerk Jenen Ross. Director Baker spoke about case nos. 2019-464 and 2009-278 both of which have been paid in full. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the lien releases on both cases. The meeting concluded at 11:05 a.m. and an audio recording is on file in the Commissioners' Office.

WORKSHOP WITH FACILITIES DIRECTOR REGARDING PARKING

The Board met today at 1:32 p.m. for a workshop with the Facilities Director regarding parking. Present were: Commissioners Leslie Van Beek and Brad Holton, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Facilities Office Manager Becky Kearsley, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks joined at 1:51 p.m. Director Britton is looking at options for parking because when construction begins on the Sheriff's administration building we're going to lose approximately 95 parking spaces. Plans/suggestions include:

- Utilize the bullpen located east of the Fleet shop as a staging area.
- The former public works director for the City of Caldwell said the County could use the city's parking lot located at 9th Avenue and Albany Street, and the parking lot on the south side of the railroad tracks between 10th Avenue and 12th Avenue (the area behind the movie theater), but Director Britton will get confirmation from the Mayor.
- Perhaps during the winter golf carts could be utilized to shuttle employees back and forth in the early mornings. The Facilities Department will maintain the parking lot through the winter months. He has some concerns with the lighting under the 10th Avenue overpass so he will see about improvements to lighting. There was discussion about moving some reserved parking spaces to the front of the juvenile detention center.
- Parking near the printshop will be utilized by the employees who work in juvenile probation or juvenile detention.
- Facilities staff will park on the street near the fleet shop to free up space for CCSO parking near the maintenance building.
- Street parking will be utilized on 13th Avenue.

- The main parking lot in front of the courthouse will be used by citizens and the far side of the main lot and the administration building parking lot can be used for employee parking.
- Consider charging employees for a parking pass for the spaces that are close to the courthouse. *The Board is not in favor of this option.*
- There was discussion about marking the parking spaces near the railroad tracks at the back of the main parking lot. Director Britton said people park in that area but it's not County property and it's not paved; it belongs to Union Pacific Railroad and they have not allowed the County to pave/stripe it. Chairman Holton asked for a brief recess at 1:48 p.m. (Commissioner Zach Brooks joined at 1:51 p.m.) The Board went back on the record at 1:52 p.m. Director Britton will research the parking lot by the railroad tracks and see about adding other parking near the rail at the back of the main parking lot.
- Allow employees to work from home. *The Board is not in favor of remove work. They want people present and at work.*
- It will be a two-year construction site and they anticipate breaking ground in June or July of 2024, and once they get closer he will meet with the department administrators and the elected officials so they are aware of the plans. He will update the Board on his meeting with the Mayor of Caldwell which is schedule to occur on October 27.

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

ELECTIONS UPDATE; AND CONTINUATION OF THIS MORNING'S LEGAL STAFF UPDATE

The Board met today at 2:31 p.m. for an update on the upcoming election, and a legal staff update that was continued from this morning. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Chris Yamamoto, Controller Zach Wagoner, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, Deputy PA Alex Klempel, HR Director Kate Rice, HR Business Partner Kendra Elgin, Constituent Services Director Rick Hogaboam, Jo Dee Arnold, and Deputy Clerk Monica Reeves. COO Greg Rast (joined via conference call at 2:35 p.m.) Commissioner Holton said there was an L&A (Logic and Accuracy) test in the Elections Office and they had some issues and since then it's been really bad timing for the Clerk. The Board met for a short period of time yesterday and still had the elections update meeting on today's agenda, but a few moments ago Clerk Yamamoto told Chairman Holton that some of his staff are at one of the early voting sites and he would like to postpone the meeting until they can be present. Commissioner Van Beek said she was under the impression that this was a continuation of the legal staff update from this morning, and it's her understanding there is a meeting to more directly address some of the functions with elections at 3:30 p.m. (*that meeting does not involve the BOCC*), and those were two separate issues and the reason we were meeting today was for the Board to hear feedback from legal staff. Chief Civil Deputy PA Ericson said this morning the Board wanted to postpone the legal staff update until Commissioner Brooks was back in the office this afternoon. Commissioner Van Beek said she is still in favor of moving forward with feedback from legal based on the information Mr. Ericson said he would gather in this morning's meeting. Commissioner

Holton said the public meeting will be continued to a later date when the Clerk's employees are available. An Executive Session was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 2:34 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) to discuss a personnel matter, records exempt from public disclosure, and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks 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 Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, Deputy PA Alex Klempel, HR Director Kate Rice, HR Business Partner Kendra Elgin, Constituent Services Director Rick Hogaboam, and COO Greg Rast who joined via conference call at 2:35 p.m. Director Rice and Ms. Elgin left at 2:48 p.m. Mr. Hogaboam left at 2:49 p.m. The Executive Session concluded at 3:11 p.m. with no decision being called for in open session.

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

OCTOBER 2023 TERM
CALDWELL, IDAHO OCTOBER 25, 2023

APPROVED CLAIMS

- The Board has approved claims 599601 to 599625 in the amount of \$9,103.20
- The Board has approved claims 599696 to 599697 in the amount of \$1,035.51
- The Board has approved claims 599665 to 599695 in the amount of \$44,325.24

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- PRTG: Paessler AG in the amount of \$1664.77 for the Information Technology department (PO #5819)
- Faronics in the amount of \$1527.75 for the Information Technology department (PO# 5823)
- Case Management Systems in the amount of \$19,000.00 for the Information Technology department (PO #5824)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Nolen Fisher, Maintenance Technician
- Maurissa Baxter, Housekeeper

COMMISSIONERS ATTENDING IDAHO OPEN MEETING LAW WEBINAR

The Board attended a webinar from 10:00 a.m. to 11:45 a.m. via the following link: <https://www.idahoptv.org/shows/idahoinsession/ww02/>. The webinar was not a Commissioner meeting and there not any motions, action items, or Board direction entertained or given.

MEETING WITH EIDE BAILLY REGARDING AUDIT PROCESS AND TO CONSIDER AN ACTION ITEM

The Board met today at 1:31 p.m. for a meeting with Eide Bailly regarding the audit process and to consider and action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Controller Zach Wagoner, Director of Constituent Services Rick Hogaboam, Jodi Daughtry with Eide Bailly, COO Greg Rast (joined the meeting via teleconference at 1:35 p.m.) and Deputy Clerk Jenen Ross. Controller Wagoner provided history of the working relationship with Eide Bailly and the work that they do for the county. The scope of work is included in the engagement letter. This year there may not be a need for a single audit because the amount of federal funds the county received are below the threshold.

Ms. Daughtry and Controller Wagoner answered questions regarding RSI, internal controls, “major funds”, “major programs”, journal entry testing and the portions Eide Bailly is not responsible for. Following the discussion, the action item was considered as follows:

Consider Canyon County 2023 Engagement Letter with Eide Bailly, LLP: Mr. Ericson indicated that the engagement letter has been reviewed by legal and that he has no issues with it. The biggest change this year is the elimination of the single audit language. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the Canyon County 2023 Engagement letter with Eide Bailly, LLP (agreement no. 23-150).

The meeting concluded at 1:54 p.m. and an audio recording is on file in the Commissioners’ Office.

DETENTION CENTER INSPECTION CONDUCTED

The Board conducted a quarterly inspection of the detention center. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Captain Harold Patchett, Lt. Russell Donnelly, Cpl. Jeff Betzold, and Constituent Services Director Rick Hogaboam. The Board evidenced proper care and security and the inmates' welfare throughout the facility. General grievances were filed and have been processed in accordance with standard procedures. A copy of the completed tour/inspection form is on file with this day’s minute entry.

APPROVED CATERING PERMITS

- The Board approved Idaho Liquor Catering Permits for Raising Our Bar to be used 11/1/23, 11/2/23, 11/5/23, 11/9/23, 11/10/23, 11/11/23 and 11/12/23.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hanson Janitorial in the amount of \$3,699.30 for the Sheriff's Office (PO #5833)
- Hanson Janitorial in the amount of \$16,608.00 for the Sheriff's Office (PO# 5832)
- Dell in the amount of \$12,077.05 for the Information Technology Department (PO #5822)
- Dell in the amount of \$1,699.15 for the Information Technology Department (PO #5820)
- Johnson Controls in the amount of \$1,344.77 for the Facilities Department (PO #5853)
- Darrell Dice Masonry in the amount of \$6,136.00 for the Facilities Department (PO #5854)
- Butte Fence in the amount of \$14,826.51 for the Facilities Department (PO #5855)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved the following employee status change forms:

- Trayton Meyers – SWAT Team specialty pay increase
- Eric Pesina – SWAT Team specialty pay increase
- Adam Isla – SWAT Team specialty pay increase
- Bryce Moore – remove K-9 handler pay
- Valerie Cruz, promotion to Clerk III
- Amaia Vicandi-Bow, Public Defender Investigator I
- Emily Kiester, Associate Planner

COMMISSIONERS ATTEND THE IDAHO ASSOCIATION OF COUNTIES DISTRICT III MEETING

Commissioners Brad Holton and Zach Brooks attended the IAC District III meeting this morning at the Ada County Courthouse in Boise from 10:00 a.m. to 12:00 p.m. Although a Board majority attended and participated, this was not a Commissioner meeting. There were no motions, action items, or Board direction entertained or given.

MONTHLY MEETING WITH THE ADMINISTRATIVE DISTRICT JUDGE AND TRIAL COURT ADMINISTRATOR

The Board met today at 1:35 p.m. for a monthly meeting with the Administrative District Judge and Trial Court Administrator. Present were: Deputy P.A. Zach Wesley, Judge Davis Vander Velde, Deputy TCA Benita Miller, Deputy TCA Laura Kiehl, COO Greg Rast and Deputy Clerk Jenen Ross.

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 1:36 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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, Judge Davis Vander Velde, Deputy TCA Benita Miller, Deputy TCA Laura Kiehl and COO Greg Rast. The Executive Session concluded at 1:52 p.m. with no decision being called for in open session.

Following the executive session, the following topics were discussed:

- Continued good/improving communication with the Clerk's Office.
- Ms. Kiehl spoke about the priority of payment schedule for treatment courts and how it will work.
- Mr. Rast asked about repurposing of the part-time Mediation Courts Coordinator to a full-time Family Court Services Support Specialist paid by ARPA monies. There appears to be some missing documentation outlining the budget as part of the required grant award paperwork. Ms. Miller said she would work on obtaining this information.

The meeting concluded at 2:00 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH SENATOR LAKEY TO DISCUSS AREA OF CITY IMPACT LEGISLATION

The Board met today at 2:06 p.m. for a meeting with Senator Todd Lakey to discuss area of city impact legislation. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Senator Todd Lakey, Deputy PA Laura Keys, Constituent Services Director Rick Hogaboam, DSD Director Sabrina Minshall, COO Greg Rast, Tricia Nilsson, George Crookham, Kris Crookham, Keri Smith, Gerri Smith, Ken Yanecko, Kim Yanecko, Jo Dee Arnold, and Deputy Clerk Monica Reeves. Deputy P.A. Zach Wesley (arrived at 2:18 p.m.)

Senator Lakey reviewed the bill and talked about the process that was used to develop it. The bill made it through the senate last year but didn't make it through the house, and the Association of Counties has passed support for the bill to be pursued again. He said it was not developed to solve the issues with the City of Middleton and the City of Star, but that brought it to the front of

everybody's mind again and was a reminder of the challenges with area of impact negotiation, particularly when you have city impact areas which abut one another. He felt there was a better approach than the simple let somebody annex regardless of the impact area, regardless of what the adjacent city may think. There can be a more comprehensive solution. There was a working group that consisted of the IAC, AIC, realtors association, contractors association, and state representative as well as the Mayors of Star and Middleton, and a Teton County Commissioner. A draft was presented at the beginning of the session and it went through a couple amendments in response to trying to build consensus and one of the key elements of the bill is that cities have jurisdiction inside their corporate limits, and outside of the corporate limits it is county jurisdiction. It emphasizes that ultimately the area of impact decision rests with the county commissioners, but it's a collaborative negotiated process. The main benefits to the cities were the respect for the impact area boundary once it's established. It includes a very limited core process. Establishment of an area of impact is a legislative act and he does not think it should generally be subject to judicial review or court scrutiny. It provides a very focused and limited court review of the commissioners' decision, or the county's failure to act on a request by a city and that court process rather than follow the full blown judicial review that can take years, and modeled after the de-annexation statutes and that's something that is rarely used and works well. The process is only to review the decision for abuse of discretion whether it's arbitrary or capricious. A summary is as follows:

Revised

STATEMENT OF PURPOSE

RS30265/S1073

This legislation balances the interests of those involved in decisions regarding impact areas and annexations. The bill provides criteria for impact area boundary decisions and a one-mile distance standard and a five-year regular planning timeframe related to impact areas. It promotes cooperation between cities, counties, and landowners and clarifies that decisions regarding the establishment, modification or confirmation of impact area boundaries are the jurisdiction of the counties. The bill provides that city impact areas may not overlap. Annexations may extend beyond impact area boundaries except in cases where impact areas abut and the five-year time period related to the boundary has not expired. This provides a process for individual landowners to work with a desired city to request adjustment of impact area boundaries to facilitate annexation. The bill notes that area of impact decisions are legislative actions but also provides for a specific expedited court review of these decisions.

Fiscal Note

This legislation does not involve action by the State so will have no fiscal impact on the general fund. The process for counties and cities is more streamlined to save local taxpayer funds. It will require more regular review of impact area boundaries which may involve more effort by local government to establish that impact area is appropriate but the review does not mandate adjustment to impact area boundaries.

Senate Bill No. 1073 – Relating to planning and zoning; amending Section 67-6509, Idaho Code, to revise provisions regarding comprehensive plans; amending Section 67-6526, Idaho Code, to revise provisions regarding areas of city impact; amending Section 50-222, Idaho Code, to revise provisions regarding annexing an area of impact; and declaring an emergency and providing an effective date. (A copy of the senate bill is on file with this day's minute entry.)

Following the review of the bill, the Board had follow-up questions for Senator Lakey. Highlights from the roundtable discussion included the following:

If cities cannot agree on where their areas of impact should overlap, the Board is responsible to determine that area of impact. If one of the cities disagrees, they have the ability to have the court review that.

Commissioner Holton said that is an unfunded mandate to tell two cities we have to contact every property owner within the affected areas. Secondly, cities have to deal with sanitary water and sewer and it's millions of dollars of infrastructure and you are shortchanging the public by being arbitrary and capricious about the one-mile buffer and it's the wild, wild west beyond that and he finds that self-serving to the developers and the realtors and is a shortsighted view of infrastructure for the public. For example, the communities of Wilder and Greenleaf have decided very intentionally that they want to be focused in how they choose to develop and they have plans to run their water and sewer system together and have a joint water system, and the proposed bill "blows that up." Who knows what's happening one mile outside the city limits for planning? Commissioner Holton wants a more reasonable explanation of that and he wants the Senator to consider a tiered approach. Senator Lakey said the intention with the impact area is that's where the city is supposed to be in the near future. The cities shouldn't be controlling things where they don't have authority and jurisdiction. Water and sewer can go outside the area of impact, and the only time it becomes a potential challenge is where you have those two areas of impact for cities abutting. There wouldn't be a problem until you get to the point where the areas of impact touch. It doesn't limit your ability to extend sewer and water, or annex especially if the cities are working together. He does not see it removing the cooperation between Greenleaf and Wilder. Commissioner Holton said there needs to be a safety valve in areas where there are two communities trying to work together, and one mile does not do it. The city does not have any authority in an area of impact - the County does. Senator Lakey said the County outside that area of impact and technically outside the city limits has the authority to make whatever decision it feels appropriate in accordance with the comprehensive plan and the zoning ordinance. The County could approve something that may be different than what Greenleaf or Wilder would prefer, but that is the County's jurisdiction. The statute does not prohibit the Board from implementing additional notice or input provisions via a memorandum of agreement or putting that in the ordinance that the area of impact is here, but we are going to provide you notice and opportunity to comment further out. We agree it's County jurisdiction, but maybe we look at differently as opposed to what happens in that County jurisdiction. Commissioner Holton asked the Senator to consider additional planning criteria regarding public safety and water quality. Senator Lakey said he is open to adding a public safety factor to that list. Commissioner Van Beek said there are two vested groups in the community, one is a developer group and one is an ag-

based group and those are at some level in conflict, and so how do you write legislation that meets the needs of both? Is Commissioner Holton suggesting we put city standards on development in rural Canyon County? Commissioner Holton said he is not advocating that at all, he is saying the Board needs to look at all the criteria to make a decision. The Board may want to meet with Senator Lakey again before the start of the legislative season. No Board action was required or taken at this meeting. The meeting concluded at 3:06 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 3:14 p.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley, Assistant Director of Juvenile Detention Shawn Anderson (left at 3:16 p.m.), Sr. Administrative Specialist Sue Britton (left at 3:16 p.m.), Cpt. Harold Patchett (left at 3:16 p.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

Consider Amendment No. 3 to the Food Service Agreement No. 19-162 between Canyon County and Summit Food Services: Mr. Klaas explained this is an extension to fill the gap until the new contract is fully in place. In order for the juvenile detention center to receive reimbursement from the school lunch program there needs to be a food service contract in place. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign amendment no. 3 to the food service agreement no. 19-162 between Canyon County and Summit Food Services (agreement no. 23-151).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 3:16 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (f) regarding personnel matters and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley and COO Greg Rast. Mr. Ericson and Ms. Klempel left the executive session at 3:46 p.m. The Executive Session concluded at 4:08 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.

APPROVED CLAIMS

- The Board has approved a travel advance claim in the amount of \$1,447.72

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$289,236.10 for the Fleet Department (PO #5769) *** This purchase order voids PO #5573, which was approved on 9/7/23***
- Staats in the amount of \$5604.93 for the Fair (PO #5545)

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Grant's Grill to be used 11/4/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Debbie Shearn, Emergency Communications Officer 2
- Patrick Collins, Deputy Sheriff – Patrol
- Michael Davis, Deputy Sheriff
- Aaron Kay, Deputy Sheriff

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 1:04 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter, and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks 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, Public Defender Aaron Bazzoli, HR Director Kate Rice, HR Business Partner Demi Etheridge, HR Investigator Rich Soto, COO Greg Rast, and Deputy Clerk Monica Reeves. The Executive Session concluded at 1:24 p.m. upon the motion of Commissioner Brooks and the second by Commissioner Van Beek. The motion carried unanimously. No decisions were called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

APPROVED CLAIMS

- The Board has approved claims 599699 to 599736 in the amount of \$56,372.92
- The Board has approved claims 599737 to 599773 in the amount of \$105,117.74
- The Board has approved claims 599774 to 599813 in the amount of \$65,152.02

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ACCO in the amount of \$3500.00 for the Facilities department (PO #5858)
- Sunbelt in the amount of \$24,400.00 for the Facilities department (PO #5857)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change forms for:

- Lilly Roach, Fee Collector
- Willie Almaraz, Hazardous Waste Screener – Heavy Equipment Operator
- MacLain Stultz, Juvenile Probation Officer I

TREASURE VALLEY PARTNERSHIP MEETING

Commissioners Brooks and Holton attended the Treasure Valley Partnership meeting today from 11:00 a.m. 1:00 p.m. The meeting took place at the Star City Hall located at 10769 W. State Street in Star. It was not a Commissioner meeting; there will be no motions, action items, or Board direction entertained or given.

ACTION ITEM: CONSIDER ACCEPTANCE OF ENGAGEMENT LETTER

The Board met today at 2:32 p.m. to consider acceptance of an engagement letter. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Civil Deputy PA Carl Ericson, COO Greg Rast, HR Director Kate Rice, HR Business Partner Kendra Elgin, and Deputy Clerk Monica Reeves. Legal counsel advised that an Executive session is necessary and it was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 2:33 p.m. pursuant to Idaho Code, Section 74-206(1) (f) to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks 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 Civil Deputy PA Carl Ericson, COO Greg Rast, HR Director Kate Rice, HR Business Partner Kendra Elgin, and Deputy Clerk Monica Reeves The Executive Session concluded at 2:37 p.m.

While in open session, Chairman Holton said the Board has documents to discuss and make decisions on; the first is acceptance of an engagement letter with Kirt Naylor. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the acceptance of investigative engagement letter with Kirtlan Naylor, noting that the Board's attorney has also signed in his capacity. Chairman Holton said a letter of introduction will be sent to some employees that might be participating in this matter. The meeting concluded at 2:39 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

ELECTION UPDATE

The Board met today at 3:02 p.m. for an election update. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Clerk Chris Yamamoto, Elections Office Manager Haley Hicks, Elections Operations Supervisor Brandi Long, Secretary of State Phil McGrane via WebEx, Guillermo Velasco and Megan Hill from the Secretary of State's Office, Controller Zach Wagoner, Constituent Services Director Rick Hogaboam, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, Sheriff's PIO Joe Decker, HR Director Kate Rice, HR Business Partner Kendra Elgin, Assessor Brian Stender, CIO Steve Higgins, Jo Dee Arnold, other interested citizens, and Deputy Clerk Monica Reeves. On the morning of October 20, 2023, a Logic and Accuracy (L & A) test was conducted at the Canyon County Elections Office and following testing, concerns were raised when the scanners accepted a photocopy of an official paper ballot. Another L & A test has been scheduled for Thursday, November 2, 2023 at 6:30 p.m. in the Elections Office. Today the Board asked the Elections Office the following questions and the responses are noted in blue:

1. Early voting status update.
 - a. The numbers and statistics for early voting broken down by date and location (Caldwell Elections Office and the Hispanic Cultural Center): As of 10:30 this morning a total of 5,093 absentee ballots have been sent, and 1,716 have been returned valid.
2. Absentee voting status update.
 - a. Early voter turnout has been disappointing so far.
3. Poll worker status: are the elections adequately staffed?
 - a. It's been difficult to get workers. They need 380, and are currently staffed with 299. They are not required to have curbside voting as all polling locations are ADA

compliant therefore they will have to remove curbside voting for all 37 locations for Election Day; however, they will offer curbside for early voting at both locations.

- b. There are 57 high school students sign up for poll worker training. There will be 2 at each precinct.
4. Polling locations: Any issues with equipment or accommodations?
 - a. On October 23, 2023 they noticed the scanner at the Hispanic Cultural Center was not working. People were able to cast their ballot at the curbside slot for scanning once the scanner was up and running. It is a secured drop. The scanner was replaced.
 - b. On October 25, 2023 the Hispanic Cultural Center's HVAC system was down and they were told it would be down for 3 weeks which is concerning because the equipment has to be temperature controlled. Space heaters were brought in to keep the space warm.
 - c. A reconciliation was done on the number of voters and ballots cast.
5. Coordination status: Are communications from the Secretary of State, local cities, and local taxing districts consistent and clear?
 - a. Elections staff work closely with the Secretary of State's Office (SOS), and have been communicating with local cities and taxing districts on outreach efforts.
6. Plans to reduce wait times on Election Day.
 - a. In 2021 they held a similar election and only had 13 polling locations open which was difficult, as compared to this year's election which has 37 polling locations which should reduce wait times.
 - b. They are pushing absentee voting and in-person early voting.
7. Status on equipment security upgrade.
 - a. They obtained updated quotes from Hart Intercivic. There were discussions about the equipment purchase, and they are waiting on the approval of 2.7 which is projected to be approved in early 2024 so they can do the upgrade for the Hart equipment along with the Windows 10 upgrade prior to the upcoming elections once this one is complete.
 - i. There are two parts to the upgrade: with 2.3 it operates under Windows 7 and the cost is to upgrade to Windows 10. The 2.7 section is the software on the Hart equipment, and there is no cost. There was a 2.5 and some

additions after that that have gone through since they obtained 2.3, but because they didn't have Windows 10 it wasn't eligible for the software upgrade.

- ii. There was a request to upgrade 2.3 but it did not go through until this year, but it was in the Elections Office's previous budget request.
 - b. In response to a question from Commissioner Van Beek regarding the certification process, Secretary McGrane said all of the systems used by Canyon County are certified systems. Counties are not permitted to use a system unless it's been certified by the Secretary of State's Office. Preceding the SOS certification process, all systems used in Idaho must be certified by the United States Election Assistance Commission, which is the federal agency that oversees elections equipment and administration. These are the systems that design and tabulate the ballots and are at no point ever connected to the internet. They have restricted use by the software vendors which is tested. The tests mentioned are partly security related and well as functionality related and they go through multiple iterations.
8. Elections website information and presentation. IT, Constituent Services, and Elections staff can work collaboratively to make improvements if needed.
- a. The website is subpar; there have been several complaints from local taxing districts, cities, and the voting public. They want it to be user-friendly and clearer to the public. There are discussions with the SOS about making big changes to the website and they will work with the IT Dept. to make it easier to use.
 - b. Secretary McGrane said the SOS is currently in the process of doing some major upgrades to the VoteIdaho.gov website which serves as a one-stop shop for voters throughout the state.
9. Public relations efforts: Transition from previous County PIO to the new Constituent Services Office.
- a. Clerk Yamamoto wants to keep Joe Decker (the Sheriff's PIO) working with the Rick Hogaboam (Constituent Services Director) to make the transition through the May 2024 primary election.
10. L&A testing: Concerns with the scanning function of ballot copies. Any public statement to clarify the public record?
- a. Ballots can be scanned twice, but what protocols are there to watch and avoid that action?
 - b. What protocols are in place to secure ballots once scanned?
 - c. Spoiled ballot process.

Ms. Long said the purpose of the test is to ensure that the scanner or equipment is reading ballots correctly. During the test there was a request for an external photo copy to be introduced which caused some confusion for staff. They contacted Hart and the SOS office to get some clarity on information staff misunderstood and they learned that the equipment is doing what it is supposed to. Secretary McGrane said the Elections Office is intending to do a new L&A. At a high level it's worth noting that the SOS office is involved in helping provide guidance and assistance in Canyon County as well as 42 other counties hosting elections coming up and they want to make sure the public has confidence in the systems. Hart is the vendor used in Canyon County and he thinks there was some misunderstanding with the Elections Office in how the equipment was set up leading up to the L&A testing, specifically regarding the use of unique identifiers, an internal term provided by Hart. The system as it was programmed for the upcoming election does not use unique identifiers, meaning each ballot will be the same for each voter and there will be reconciliation happening at all phases throughout the election to verify the number of check-ins matches the number of ballots. The SOS will assist Canyon County throughout the election process. All of the largest counties, except for Kootenai County, are using Hart as their main vendor. The use of unique identifiers is what led some people to believe that a photocopied ballot would not necessarily be read, it is possible to program the equipment so that is the case and that there is a unique number assigned to each ballot. As secretary he has some hesitation and there are pros and cons to each system, specifically, Idaho's Constitution, Article 6, Section 1, guarantees a secret ballot and when we start adding unique numbers and identifiers to the ballot that causes him pause in terms of whether they would be able to trace back someone's votes and how they are cast. It's guidance that has not been issued under his predecessors and they are working on that, but the machines as they are programmed worked properly. Any photocopied ballot would be read. It's possible in future elections to program it differently if that's what the County prefers to do and both the SOS and Hart are able to assist in guidance on that, but as the equipment is programmed for this election it is scanning properly. The known outcomes that were put into the machine reading the ballots match the known results that should be reported out. In terms of safeguards, statutorily there are other elements whether it's watermarking or official ballot stamps that are also added protocols to this step, the SOS has had conversations with the Canyon County election team and they will be assisting through the public L&A test later this week. Commissioner Van Beek had questions regarding unique identifiers and how many counties are using them and have there been complaints that voters did not have anonymity. Secretary McGrane said there are two counties using the unique identifiers. Being able to prevent a ballot from being read twice certainly there are strong advantages to that, but there are also

other things. For example, in most major elections Canyon County has shifted to using a secured printer to be able to send a mail absentee ballots, but that would not be an option using the unique identifiers. Similarly printing ballots on demand for absentee ballots or others which adds the assurance of making sure the right ballot is issued would not be available in the same way. Since the 2020 election, being able to uniquely identify ballots there is a strong desire by many to be able to do that and it would similar to the serial number on the dollar bill, but the challenge is being able to identify how someone voted in the constitutional protections we have and there is not an easy call. As a secretary step it helps but on the administrative side and secrecy side there are offsets and that's why they see different counties making different decisions related to it. For the upcoming election, Ada County is not using unique identifiers but is providing other security measures and steps. This is a decision for the Clerk's Office to figure out what works best. The SOS will do audits of the elections to make sure the official ballots are the ballots that are counted as well as that the results they find through the audits match the publicly recorded results the County has reported. There were follow-up questions from Commissioner Van Beek regarding the reconciliation process, and discussion ensued. There is data being captured above and beyond what the poll workers are filling out to help ensure that reconciliation occurs. There was additional discussion regarding unique identifiers, as well as absentee and in-person voting. Secretary McGrane said it would be good to have a more thorough conversation after the election. The decision whether to use or not to use is something that has to be made well in advance of the election about programming, and the programming of the equipment takes place just after candidate filing in the process. It's too late to make a change for the November 7th election. It is warranted for the elections team to have further conversations with Hart and for the Board to have more of its questions answered, it's best to have the conversation a future date.

There was a review of the safety measures that are in place to ensure that someone doesn't try to sneak in a photocopied ballot. They have a person stationed at the scanner at all times and so a person would not be allowed to deposit two ballots. There are reporting and accounting procedures to make sure everything balances correctly. Commissioner Holton asked where someone would get a duplicate ballot, and then he asked if we are chasing a problem that doesn't exist? Ms. Long said if someone were to leave with their ballot and then return with their ballot they would have to get through several different poll workers before they could get back to the scanner again in order to cast a ballot and a copied version. She does not see how that is possible without somebody noticing that the person was already there and didn't check in. Staff is watching to ensure people are going through the entire process. When absentee ballots are received in the office and

have been examined if staff sees that an envelope contains two ballots neither of them get counted. When a voter checks into the e-pollbook if they have to leave or they decide not to vote, the poll worker could then go into the e-pollbook and spoil their check-in. It's not a ballot at that point, it's just a check-in. The person would be "unchecked-in" at that point. They could come back later and decide to vote at that time. If a voter were to get an absentee in the mail they could come to their polling location and vote in-person or during early voting. The system is aware whether that person has been sent an absentee or not. If they were to vote in-person and try to deposit a ballot it will tell them they have already voted and the ballot cannot be accepted. Polls close at 8:00 p.m., and everyone who is in line by 8:00 p.m. can still cast their ballot. All absentee ballots must be deposited or returned to the elections office by 8:00 p.m. Those who are waiting in line by 8:00 p.m., will be able to deposit their ballot. If someone showed up at 8:01 p.m. they would be too late. Poll workers do check the end of the line to make sure nobody is added to the line. If a voter makes a mistake on the ballot, as long as it's not deposited into the scanner or ballot box it can be fixed, spoiled and the person can be re-issued another ballot. Once it goes into the box it cannot be retrieved. There was further explanation of the process.

11. Are there any bottlenecks or delayed functions due to interdepartmental coordination or lack thereof? IT, GIS?

- a. Ms. Long said IT has done a great job with the timelines that are set by Idaho Code. The best option is moving forward with the GIS Analyst, who they hope to have by May of 2024. There was discussion regarding the issues the elections staff has encountered with annexation and de-annexations and split properties, as well as the benefits of using GIS.

12. Is there anything else the BOCC, COO, Director Constituent Services should know to provide support or reinforce formal communications to the inquiring public?

- a. Having continued support and working together as a team.

The meeting concluded at 4:05 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2023 TERM

CALDWELL, IDAHO OCTOBER 31, 2023

APPROVED CLAIMS

- The Board has approved claims 599814 to 599827 in the amount of \$7,211.00

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Day Wireless Systems in the amount of \$7,611.00 for the Parks Department (PO #5788)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Dylan Starry, Parks Program Manager

FILE TREASURER'S MONTHLY, QUARTERLY AND YEARLY REPORTS

The Board filed the Treasurer's Monthly Report for September 2023, and the Quarterly Report from July 1, 2023 through September 30, 2023, and the Yearly report from October 1, 2022 through September 30, 2023.

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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Treasurer Tracie Lloyd (left at 9:54 a.m.), Controller Zach Wagoner (left at 9:51 a.m.), Solid Waste Director David Loper (left at 9:48 a.m.), Director of Constituent Services Rick Hogaboam, Mike Murgoitio with Timber Creek Recycling (left at 9:48 a.m.) and Deputy Clerk Jenen Ross.

Consider Cooperative Agreement between Valley Regional Transit and Canyon County for Annual Assessment and Other Contributions: Mr. Ericson said this is essentially the same as previous years; the only change is to the contact person, which has been changed from Zach Wagoner to Greg Rast. The funding amount of \$50,000 for FY24 has also been included in the contract. Commissioner Van Beek made a motion to sign the Cooperative Agreement between Valley Regional Transit and Canyon County for Annual Assessment and Other Contributions. The motion was seconded by Commissioner Holton. A vote was taken on the motion with Commissioners Van Beek and Holton voting in favor and Commissioner Brooks voting in opposition. The motion carried in a 2-to-1 split vote. See agreement no. 23-152.

Consider Change Request No. 3 to Agreement No. 19-112 for Wood Waste Removal with Timber Creek Recycling: This change request will increase the price per ton from \$29.00 to \$30.75, additionally there is a change to the water truck usage language but the actual cost remains relatively the same and done for accounting purposes on Timber Creek's end. Director Loper and Mr. Murgoitio spoke to the benefits of this agreement. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign change request

no. 3 to agreement no. 19-112 for wood waste removal with Timber Creek Recycling (agreement no. 23-153).

Consider Change Request No. 1 to Agreement No. 22-102 for Crushing Recycle Services with Timber Creek Recycling: Director Loper spoke to the benefits of the concrete crushing. There is a change to the water truck usage language but the actual cost remains relatively the same and done for accounting purposes on Timber Creek's end. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign change request no. 1 to agreement no. 22-102 for crushing recycle services with Timber Creek Recycling (agreement no. 23-154).

Consider Resolution Authorizing the Acceptance of State Criminal Alien Assistance Program Grant Funds: This resolution contains standard language as previous years with updated dates. This year, Canyon County has been awarded \$30,052 which must be used for inmate related needs. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing the acceptance of State Criminal Alien Assistance Program Grant Funds (resolution no. 23-237).

Consider Resolution granting a new alcoholic beverage license to The STIL LLC dba The STIL: This application has been reviewed by the Board and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to The STIL dba The STIL (resolution no. 23-238).

Consider Response to IHFA and property owners regarding final decision of tax deed on 3600 E. Wicklow Ave. Nampa, ID, PIN 29093617 0: Treasurer Lloyd said that the 2019 taxes have been paid and a cashier's check from IHFA is on the way. At this time there is no action was necessary. Once the check from IHFA is received a redemption deed will be filed back to the Jensen's. Commissioner Van Beek made a motion that the Board take no action on this item. The motion was seconded by Commissioner Holton and carried unanimously.

As part of the legal staff update, a discussion was had relating to the statutory authority of irrigation districts as they relate to land use decisions. Mr. Wesley spoke about what they would or would not have jurisdiction over. In response to a question from Commissioner Van Beek regarding the Board's authority relating to water, Mr. Wesley explained that the comprehensive plan and zoning ordinance could be updated to make area's non-buildable or limited building permits where water resources are limited. Commissioner Holton said the Board is receiving a certain amount of pressure from developers, representative of developers and some realtors regarding Black Canyon Irrigation District. Mr. Wesley spoke to options that may be available to unwind decisions that may already be in place to remove the county from the issue or support the property owner or irrigation district depending on the issue. Commissioner Holton asked legal to look into some options the county may have.

The meeting concluded at 10:05 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER RELEASE OF LIEN FOR HESS PROPERTIES, 23763 BEARTOOTH WAY, CALDWELL (R3449912100)

The Board met today at 10:30 a.m. to consider a release of lien for Hess Properties, 23763 Beartooth Way, Caldwell (R3449912100). Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Facilities Director Rick Britton and Deputy Clerk Jenen Ross. Director Britton explained that the invoice for weed removal has been paid and the lien needs to be released. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the release of lien for Hess Properties, 23763 Beartooth Way, Caldwell (R3449912100).

The meeting concluded at 10:32 a.m. and an audio recording is on file in the Commissioners' Office.

COO WORKSHOP - GENERAL DISCUSSION AND DIRECTION

The Board met today at 11:00 a.m. for a workshop with the COO and the Constituent Services Director for general discussion and direction. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Director of Constituent Services Rick Hogaboam, COO Greg Rast, Fleet Director Mark Tolman (left at 11:16 a.m.) and Deputy Clerk Jenen Ross.

Mr. Rast reviewed the following topics with the Board:

- Mileage reimbursement process
 - A review of the process was provided to the Board.
 - Questions regarding proof of insurance, driver's license numbers, lead-time for vehicle availability.
 - Authority of Fleet Director to deny claim for mileage reimbursement if a fleet vehicle is available.
 - Mr. Rast will send correspondence to anyone processing mileage requests letting them know the new process will be in effect starting November 1, 2023 noting that the first 30 days of the new fiscal year was taken so there could be an evaluation of incoming claims and possible different situations that may arise.
- Audit/Financial records of the county
 - What is the communication the method the Board would like to convey to the Clerk and Controller about this process?
 - How should this process be established?
 - If this process is under \$50,000 – there can be an engagement without an RFQ process

- If over \$50,000 for a full financial audit there will need to be an RFQ process. Commissioner Van Beek is in favor of the RFQ process as the county has never had an evaluation of the internal controls or a transactional audit.
 - Clerk and Controller may need to be involved to assist in writing a statement of work.
 - Board direction is for Mr. Rast to work with legal in order to get the RFQ process started.
- BOCC meeting with Todd Lakey regarding comp./ag plan and 2024 legislation
 - Mr. Hogaboam will work to coordinate the second portion of this meeting.
- Property tax public website reporting
 - This item will be moved to Mr. Rast's top priority list.
- Public safety building
 - On-site tours (Ohio location)? Start scheduling? Possible purchase of plans?
 - The Board is in favor of scheduling a tour.
- Meeting with the landfill director and Timber Creek Recycling
 - Discussions regarding transfer stations.
 - Possibly have Mr. Murgotio give a presentation to the SWAC.
- George Nourse Gun Range safety and expansion with advisory committee
 - Eco blocks have been installed in the lanes to prevent people from driving down them.
 - Cpt. Patchett will be joining Mr. Rast and be a part of the advisory committee for a possible partnership between being a public gun range and training facility for law enforcement.
- Security for Administration Building
 - Mr. Rast still needs to meet with Chief Ingram at Caldwell PD.
- Impact fees
 - Mr. Hogaboam is going to meet with Director Minshall.
 - Additional information still needs to be collected.
 - Anticipated completion wouldn't be until summer of 2024.
 - A 10-year capital improvement plan would be beneficial.
 - Could possibly have a ballpark feasibility report by December/January
 - Mr. Hogaboam's understanding of the priorities includes the Sheriff's Office, jail, ambulance district and possibly parks.
 - The Board has requested Mr. Hogaboam to do some research on the impact fee committee and report back to the Board in 48-hours (at the Thursday COO update meeting).
- Assessor's office remodel
 - Budgeted between FY23 and FY24.
 - Assessor Stender would now like to add a storefront but this will be a \$40,000 increase; Director Britton does not have this available in his budget.

- Assessor Stender may be coming to the Board to make this presentation.

Mr. Hogaboam reviewed the following topics with the Board:

- Assessor website
 - Hoping to have up and running by the end of the year.
- Developer meeting
 - Looking for more Board guidance regarding the scope and topics of the meeting.
 - Commissioner Van Beek wants to see an interface between the cities and county zoning maps for a planned build out; she would like to be part of a workshop to discuss/review some of the “pain points” and policy changes so there is a clear understanding among everyone.
 - For any Board thoughts or suggestions, the Board will individually email Mr. Hogaboam.

The meeting concluded at 12:03 p.m. and an audio recording is on file in the Commissioners’ Office.

EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE, PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B) AND (D)

Commissioner Van Beek made a motion to go into Executive Session at 1:32 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks 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, DSD Director Sabrina Minshall, and COO Greg Rast. Mr. Rast left at 2:28 p.m. Commissioner Van Beek left at 2:55 p.m. The Executive Session concluded at 4:01 p.m. with no decision being called for in open session.

There were no Board of Equalization matters that came before the Board this month.

NOVEMBER 2023 TERM
CALDWELL, IDAHO NOVEMBER 1, 2023

APPROVED NOVEMBER 3, 2023 PAYROLL

The Board approved the November 3, 2023 payroll in the amount of \$2,280,594.86

APPROVED CLAIMS

- The Board has approved claims 599828 to 599877 in the amount of \$60,549.50

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Trane in the amount of \$25,189.00 for the Facilities department (PO #5859)
- Idaho Power in the amount of \$23,269.00 for the Facilities department (PO #5860)
- Architectural Glass in the amount of \$7,700.00 for the Facilities department (PO #5861)
- Atkinson's Mirror & Glass in the amount of \$4,670.00 for the Facilities department (PO #5863)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Shelby Ransom, Administrative Assistant in Juvenile Probation.

ACTION ITEM: CONSIDER CERTIFICATES OF NONCOMPLIANCE FOR ZONING, PUBLIC NUISANCE, AND/OR BUILDING VIOLATIONS; AND AMEND THE NOVEMBER 1, 2023 BOCC AGENDA

The Board met today at 10:01 a.m. to consider certificates of noncompliance for zoning, public nuisance, and/or building violations. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, Code Enforcement Supervisor Eric Arthur, Code Enforcement Office Katie Phillips, and Deputy Clerk Monica Reeves. Chairman Holton asked for a motion to amend the agenda to move the refund resolutions that were scheduled for this morning at 10:00 a.m., to 11:00 a.m. (refunds for Erlebach Investments, LP, and for JJ Hess, LLC). Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to amend the agenda to move the start time for the resolutions to 11:00 a.m. The certificates of noncompliance were considered as follows:

PROPERTY ADDRESS & PARCEL NO.:

- 9751 Gloria Rd, Middleton (R37434)
- 0 Notus Rd, Greenleaf (R36103012)
- 17028 Lower Pleasant Ridge, Caldwell (R35518)
- 29117 Sleepy Hollow Ln, Caldwell (R37643101)
- 9201 Carolyn Street, Nampa (R26075)
- 17581 Upper Pleasant Ridge, Caldwell (R35528010)

The individual cases were reviewed by Eric Arthur and Katie Phillips and discussion ensued. The following action was taken:

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the certificate of noncompliance for 9751 Gloria Road in Middleton.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the certificate of noncompliance for property located at 0 Notus Road in Greenleaf, Parcel No. R36103012.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the certificate of noncompliance for the property located at 17028 Lower Pleasant Ridge Road, Parcel No. R35518.

Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign the certificate of noncompliance for 29117 Sleepy Hollow Lane in Caldwell, Parcel No. R37643101.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the certificate of noncompliance for the property located at 9201 Carolyn Street, Parcel No. R26075.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the certificate of noncompliance for the property located at 17581 Upper Pleasant Ridge in Caldwell, Parcel No. R35528010.

Chairman Holton asked staff to document when they contact Southwest District Health about code enforcement cases and whether they respond. The signed certificates will be recorded. The meeting concluded at 10:27 a.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTIONS REFUNDING DSD FEES; AND HAVE A DISCUSSION REGARDING A PRIOR DECISION MADE BY THE BOARD

The Board met today at 11:08 a.m. to consider resolutions granting a refund to Erlebach Investments, LP for a withdrawn conditional rezone application; and a refund to JJ Hess, LLC for a withdrawn property boundary adjustment application. Present were: Commissioners Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, DSD Planner III Michelle Barron, DSD Hearing Specialist Amber Lewter, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley arrived at 11:12 a.m. COO Greg Rast arrived at 11:15 a.m. Commissioner Leslie Van Beek arrived at 11:16 a.m. The items were considered as follows:

Consider a resolution granting a refund to Erlebach Investments, LP for a withdrawn conditional rezone application - The request came in as a conditional rezone in April of 2023, and a case planner was assigned and approximately 25% of the fees were utilized in the first part of the process. The applicant has withdrawn the conditional rezone application and will apply for a CUP. DSD is

recommending a refund in the amount of \$1,050. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to issue a refund of \$1,050 to Erlebach Investments, LP, for a withdrawn conditional rezone application. (Resolution No. 23-239.)

Consider a resolution granting a refund to JJ Hess, LLC for a withdrawn property boundary adjustment application - The request came in July 20, 2023 and there was some initial consultation and intake with the case planners. The applicant has chosen to withdraw their property boundary adjustment. Approximately 15% of the fees have been utilized, and DSD is recommending a refund in the amount of \$280.50. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to issue a refund in the amount of \$280.50 for JJ Hess, LLC, for a withdrawn property boundary adjustment application. (Resolution No. 23-240.)

Discussion with DSD Director regarding a prior decision the Board made - Director Minshall requested a discussion about an issue that arose when an applicant recently contacted Chairman Holton about a hearing date for a case that will be heard by the P&Z Commission. Her understanding from the case was that the applicant agreed that there were concerns about the FCO's and whether there had been information about what they could do to achieve compliance and they agreed to return to the P&Z Commission to have them review the case and see if any adjustments were made. The hearing has been scheduled and noticed for November 16, but the applicant would like it rescheduled. (On September 21, 2023, the Board was scheduled to hear an appeal by Bristlecone Land Use Consulting, representing JC Excavation, LLC, for a conditional use permit, but the matter was vacated.) Commissioner Holton said prior to the opening of the public hearing he had a conversation with the applicant about procedure because he was concerned about some representations within their application, and the applicant as well as DSD staff concurred that it would be best to go back to the P&Z Commission. Soft dates were discussed, but staff did not have the official calendar so a new hearing date was not set but the applicant knew that they were going to be told by DSD when the hearing would be set for sure. There was a discussion about a fee and he said the County would try not to charge for it, but if there are direct costs incurred those mostly likely will be passed on. DSD Planner III Barron said after that September meeting, she spoke with the applicant and informed them she could prepare the notice for a November 16 hearing date. (Verbal confirmation was given, but it was not as part of the meeting.) The applicant has requested a new hearing date and was not satisfied with staff's response about the process so she contacted Chairman Holton. Deputy PA Zach Wesley said the options are to either attend the hearing on November 16 and the P&Z Commission can continue it and that way everyone has notice and they show up for the hearing and are given the date for the next hearing and our noticing requirements are fulfilled. Or, the hearing is vacated and a new hearing date will be set in which case the applicant has to pay for re-noticing. Director Minshall said she cannot yet commit to when a new hearing would be set until she has more information. It is not appropriate for the applicant to go to P&Z on November 2nd and ask to do something staff is not prepared to do yet, that needs to happen on November 16th. The applicant was not satisfied with that response. Regarding process, Deputy PA Wesley said there was application after a certain point with new information that was different from what the P&Z Commission heard and

so it will be remanded for the P&Z Commission to re-evaluate the decision with the new information. Those are the parameters we are going to set and depending on how much the application has changed, the testimony might be as extensive as the first time and they if there are new additions and everybody wants to comment on it, the issue may be more limited to a specific deficiency and this is how we are going to correct it in which case there would be much stricter parameters and it should be a shorter hearing. Director Minshall said in this case, there were legitimate concerns from DSD and the Board about what they brought up at the public meeting to ensure the P&Z Commission considered all the criteria and amend the FCO's if they feel appropriate. Commissioner Van Beek said the applicant's representative is an informed user of information and should know the process and they either have a complete application or they don't and if they don't then it doesn't go through. Director Minshall said we have a culpability that we need to work through as well, and she said the Chairman can direct the applicant's representative to contact DSD staff who will answer her inquiry through their normal process. The meeting concluded at 11:43 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 2, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Apple in the amount of \$3,495.00 for the Information Technology department (PO #5825)
-

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Palace Event Center to be used 11/05/23.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:33 a.m. for a meeting with county attorneys for a legal staff update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Director of Constituent Services Rick Hogaboam, COO Greg Rast and Deputy Clerk Jenen Ross.

A request was made to go into executive session as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 9:34 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, Deputy P.A. Zach Wesley, Director of Constituent Services Rick Hogaboam and COO Greg Rast. The Executive Session concluded at 10:00 a.m. with no decision being called for in open session.

Following the executive session, the following topics were discussed:

- Original parcel: Mr. Wesley spoke about an old memo that is no longer controlling; Director Minshall has directed staff to not follow that memo and that policies are in line with the current ordinance and Board interpretations. There need to be more permanent fixes and formal action will be taken by the Board at a later time.
- E-signatures: Mr. Ericson will follow up with Ms. Keys.
- Overnight camping: Mr. Ericson spoke to the nuances of creating such an ordinance and some of the issues that could surround it. Legal will review the Ada County ordinance to see if can be applied in Canyon County and possible signage that could be place in parking lots. They anticipate having additional information to the Board by the end of the month.
- Mr. Wesley said he is watching a Kootenai County case before providing a response to Mr. Hilty regarding the Urban Renewal District.
- Legal is continuing to work on the notice and resolution for the Sheriff's Office garnishment and general fee increases.

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

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:30 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Indigent Services Yvonne Baker and Deputy Clerk Jenen Ross.

Ms. Baker spoke about case no. 2023-38. In February of 2023 the case was denied due to the belief that there may have been sufficient funds available for cremation and the inability to confirm Canyon County residency. The case was then sent to Ada County where it was also denied due to lack of residency and that it appeared there was a next of kin. Ada County was also able to determine the decedent was a resident of Canyon County. Both Ada and Canyon County have declined the case for public administration as there do not appear to be any assets. Commissioner Van Beek made a motion to approve the case for cremation due to a lack of assets and the determination of Canyon County residency. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 10:38 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION TO CHANGE THE JOB TITLE, JOB DESCRIPTION AND SALARY RANGE OF ONE (1) POSITION IN THE COMMISSIONERS' OFFICE; AND WORKSHOP WITH THE CHIEF OPERATING OFFICER

The Board met today at 11:02 a.m. to consider a resolution to change the job title, job description and salary range of one (1) position in the Commissioners' Office, and to have a workshop with the Chief Operating Officer (COO). Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Constituent Services Director Rick Hogaboam, HR Director Kate Rice, HR Business Partner Jennifer Allen, COO Greg Rast, Deputy PA Zach Wesley, Keri Smith, and Deputy Clerk Monica Reeves. The items were considered as follows:

Resolution to change the job title, job description and salary range of one (1) position in the Commissioners' Office - Director Hogaboam said the communications specialist position was previously a senior administrative specialist, grade 12, position within the Commissioners' budget. In addition to the title change, HR recommends the position be a grade 13. The intent is to move the position from a grade 12 to a grade 13 but to hire within the budgeted amount of \$55,000 to stay within the budgetary limit. COO Rast said that is the max amount of salary that the budget could be sustained without having to open the budget to fund it for additional salary. This was the third position in the Commissioners' Office and it will be repurposed for the Constituent Services Department to use in FY2024. It may move in FY2025. The position is primarily for Constituent Services use, but if the Commissioners need scheduling assistance or if there is a vacancy within the Commissioners' Office this person would do that, but it's a non-clerk deputized position for those functions. Director Hogaboam said there could also be an internship for communications, public relations or marketing-type students from local colleges and universities for a paid internship program where they could do some deliverable on projects. Following discussion and

upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the resolution to change the job title, job description and salary range of one senior administrative specialist to one communications specialist. (Resolution No. 23-241.) Director Rice and Ms. Allen left at 11:13 a.m.

COO Workshop - General Discussion and Direction

Director Hogaboam and Deputy PA Zach Wesley were asked to talk about impact fees and the impact fee committee.

- Canyon County Impact Fee Planning/Impact Fee Process timeline:
 - Impact Fee Advisory Committee Membership - (The committee was initially formed during the fire district requests, and for Canyon Highway District #4 request, but haven't been meeting regularly or actively.) The Board wants to refresh the committee and follow the new guidelines. A draft proposal will be brought back for review. It will be scheduled specifically for a future workshop. (Deputy PA Wesley left at 11:26 a.m.)
- There has been interest from the media on the election machines and the L&A tests.
- Attended a meeting at the landfill for a discussion around the concerns around transfer stations. The next step is to go to the SWAC committee to present the concerns and have them present a solution to the Board at a future date. All parties in attendance were happy with the outcome of the meeting.
- He would like to add a Constituent Services page on the website.
- IT and AVI Solutions will talk about concerns with the recording system the system in BOCC mtg room, specifically the Commissioners' microphones.
- Directors have provided their performance goals for 2024 and he will establish performance reviews and evaluations for performance for the directors and they will be scheduled January 1 through December 31 of each year. He will gather the goals and share them with the Board and at the end of the year he will write a review and summary of those goals with a sit down and some expectations for the Board's consideration. Commissioner Holton looks forward to getting the goals on the record.
- 365-day plan - This is the policy and procedure handbook for the County to establish how we procedurally do things and articulate that into a handbook from the appropriate use on either business meals, travel, procurement. It supplements the employee handbook with a procedure and it will be heavily workshopped with the Board and Legal to work through the procedures.

- COO Rast wants to engage with DSD to do an organizational compensation study. They have a low applicant pool and he wants to make sure Director Minshall has the tools to recruit. The Board supports the concept.

There was additional discussion regarding the communications specialist position.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The meeting concluded at 11:55 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 3, 2023

No meetings were held this day.

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 6, 2023

APPROVED CLAIMS

- The Board has approved claims 599936 to 599962 in the amount of \$33,032.47
- The Board has approved claims 599878 to 599935 in the amount \$862,479.17
- The Board has approved claim 600068 in the amount of \$9,517.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Northwest Power Systems in the amount of \$1955.21 for the Facilities department (PO #5864)
- Grainger in the amount of \$1872.00 for the Facilities department (PO #5862)
- Atlas in the amount of \$22,313.00 for the Facilities department (PO #5865)
- Dell in the amount of \$1899.36 for the Information Technology department (PO #5826)
- Motorola Solutions in the amount of \$1742.00 for the Sheriff's Office (PO #5723)
- Microvision Northwest Forensic Analysis and Consulting, Inc. in the amount of \$6900.00 for the Sheriff's Office (PO #5873)
- Public Safety Store in the amount of \$2486.00 for the Sheriff's Office (PO #5874)
- Motorola Solutions in the amount of \$196,201.99 for the Sheriff's Office (PO #5875)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Kimberly Lantz, PT Administrative Specialist
- Vincent Crosby, Emergency Communication Officer I
- Adriana Rosales, Emergency Communications Officer I

APPROVED CATERING PERMITS

The Board approved the following Idaho Liquor Catering Permits:

- Capitol Bar to be used 11/11/23
- O'Michael's Pub & Grill to be used 12/2/23

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 7, 2023

APPROVED CLAIMS

- The Board has approved claims 600098 to 600121 in the amount of \$6,488.34
- The Board has approved claims 600000 to 600030 in the amount \$6,999.01
- The Board has approved claim 600122 in the amount of \$1,920.00
- The Board has approved claims 600031 to 600067 in the amount of \$210,440.49
- The Board has approved claims 599963 to 599999 in the amount of \$9,313.87

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Creative Awards in the amount of \$6,787.90 for the County Fair (PO #5546)
- Intermountain Wood in the amount of \$1,740.00 for the Facilities department (PO #5866)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Ruth Coose (DPA II – Criminal) – Removing monthly on-call pay of \$500
- Karson Vitto (DPA I – Criminal) – Adding monthly on-call pay of \$500

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 9:20 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Zach Brooks and Brad Holton, Case Managers Kellie George and Jenniffer Odom and Deputy Clerk Jenen Ross.

Ms. George spoke about case no. 2024-1 regarding a decedent who passed on August 1, 2023. A death certificate was issued by the funeral home to the daughter of the decedent prior to payment being made. Research done by the Indigent Services department indicated that there appeared to be sufficient funds and/or assets available. The concern being that with the daughter already having the death certificate that the assets may be depleted. Commissioner Van Beek made a motion to deny the case as the county is not the payer of last resort and there are identified assets. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 9:30 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:31 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. Carl Ericson (left at 10:01 a.m.), Deputy P.A. Oscar Klaas (left at 9:48 a.m.), Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Assessor Brian Stender (left at 9:41 a.m.), Cpt. Ray Talbot (left at 9:41 a.m.), EOM Christine Wendelsdorf (left at 9:37 a.m.), Spillman GIS Manager Forrest Smith (left at 9:41 a.m.), Parks Director Nicki Schwend (left at 9:47 a.m.), Director of Constituent Services Rick Hogaboam (left at 9:48 a.m.), COO Greg Rast, Mark Wendelsdorf with Caldwell Rural Fire (left at 9:37 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Designating Caldwell Rural Fire Protection District as Local Emergency Response Authority for Unincorporated Areas of Canyon County: This resolution has been in place since about 1990 and is being updated to allow for the Canyon County Emergency Management office to be part of a coordinated response to a hazardous waste event. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution designating Caldwell Rural Fire Protection District as the Local Emergency Response Authority (LERA) for unincorporated areas of Canyon County (resolution no. 23-242).

Consider Memorandum of Understanding Between the City of Middleton and Canyon County for GIS Access / Data Sharing: Canyon County has been sharing GIS data for approximately 18 years and now want to bring on Middleton. Canyon County holds the "parent" data and the cities have "child" data which they can update and push to Canyon County. Ideally, this MOU would be used as a template for future sharing partners. Commissioner Holton said he would like to hold on this action item until after today's election to see who will be elected as Middleton mayor, he then made a motion to add it to the agenda for Tuesday, November 14th. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider Idaho Certified Local Government Grant Memorandum of Agreement: This is for a Snake River Canyon Assessment and Survey for an archaeological survey update. This is a \$10,000 grant and the match amount is covered by the HPC grant awards provided by the county. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Idaho Certified Local Government Grant Memorandum of Agreement (agreement no. 23-155).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:48 a.m. pursuant to Idaho Code, Section 74-206(1) (f) to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys and COO Greg Rast. The Executive Session concluded at 9:56 a.m. with no decision being called for in open session.

Following the executive session, the following action items and discussion topic were taken up:

Consider agreement in case no. 1:23-cv-00019-DKG: A motion was made by Commissioner Van Beek to sign the agreement. The motion was seconded by Commissioner Brooks and carried unanimously.

At the next legal staff update there will be further discussion regarding e-signatures and the overnight parking/camping ordinance.

Consider a resolution granting a new alcoholic beverage license to Eliza's Mexican Kitchen LLC dba Eliza's Mexican Kitchen: The Board has read thru the application and are in favor of granting the license. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Eliza's Mexican Kitchen LLC dba Eliza's Mexican Kitchen (resolution no. 23-243).

The meeting concluded at 10:02 a.m. and an audio recording is on file in the Commissioners' Office.

PAYROLL PROCESS UPDATE

The Board met today at 10:32 a.m. for a payroll process update with the Auditor's Office and the HR Department. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, HR Director Kate Rice, Controller Zach Wagoner, Auditing Supervisor Sarah

Winslow, Senior Audit Specialist Pam Freeman, and Deputy Clerk Monica Reeves. HR Director Rice said the process is working as expected. They rolled out the new employee change form in an electronic format, and are still working to do the data entry for specialty pay but they do have a way to report base pay and specialty pay separately and are working toward that goal. HR is currently focused on open enrollment until November 15, but after that the specialty pay documentation will be their number one focus. Commissioner Van Beek said in the event specialty pay cannot be validated it will drop off. Director Rice said they will communicate that to the department administrators and elected officials. Controller Wagoner said there have been two paychecks with the new 2024 rates and there are a few instances where some employees people were not paid enough so the Auditor's Office is working with the Sheriff's Office on that issue and they have requested the Auditor run an out-of-payroll-type cycle to get them caught up on backpay. There are also instances where the pay has been too high for two employees. All of the instances involve in the Sheriff's Office. Director Rice said she is aware of some of the issues; there are some who had changes in September and HR held firm that there the 3% would not be added but the Sheriff's Office has interpreted the direction differently and has wanted to move forward with the 3% pay adjustments. She is not in support of running an extra payroll for two employees to cut a check for a couple hundred dollars, and she feels that if the pay is moved forward waiting two more weeks for the next payroll to run as a regular payroll due to the extra work and costs involved in running the extra payroll. Commissioner Van Beek said during the budget process the Board said if a pay adjustment was given they would not get the 3% increase. Director Rice said those are on a case-by-case basis and Bosco Baldwin (the Compensation/Benefits Manager) is working with the Sheriff's Office on those. She said it wasn't a matter of the master sheet being incorrect, it was a matter of the timing of the transfers and moves. Controller Wagoner said there have been some adjustments/tweaks to the initial master sheet that was approved by the Board. There was discussion about how pay adjustments have to come back for Board approval. Commissioner Holton wants to be fair to the employees who were impacted, but he is not in favor of running a special payroll. He wants more information on the pay adjustment issues the Sheriff's Office is seeking. Mr. Rast said any changes to the master sheet have to be submitted via an employee status change form for Board consideration. Controller Wagoner said that's what he has asked for and the Sheriff's Office was told there needs to be documentation for those changes. Commissioner Holton said it's an issue the Sheriff's Office should bring to the Board and if the Auditor's Office receives an email they should ask for the employee status change form. Controller Wagoner said he does not know if there has been an employee status change form or a new formal approval for every circumstance. There have been emails sent in some instances. Commissioner Van Beek said that circumvents the process and it's not okay and if changes were made with an email it will have to be reversed because it hasn't been approved by the Board. She understands the Controller is trying to act on what he believes in good faith the Sheriff's Office is instructing him to do, but they do not have the statutory authority to grant what it is they are asking for without Board approval. Controller Wagoner said the Auditor's Office is also receiving the communication from Mr. Baldwin, the HR Compensation and Benefits Manager. Director Rice will ensure her employee has better direction. Commissioner Van Beek asked Director Rice to at what has been approved outside of the Board. Controller Wagoner said he doesn't know where the overpay or underpay issues originated or whose fault it is, but if it was their fault and they shorted somebody money he wants them to be paid accurately and timely. He spoke of some

issues with status change forms that have been approved and were brought to his desk, such as one form that had an hourly rate of \$37,440. Now that Audit receives the status change forms at the end of the process they don't have the opportunity to review before it gets final formal approval. In the past they could doublecheck account codes, funds, hourly rates, etc., but they no longer have that and he doesn't see the status change forms until all the approvals have taken place. He would like to be included earlier in the review process, and he also asked the font used on the forms could be increased to a large size because they are difficult to read. Commissioner Holton said they can look into increasing the font, and he thinks the Board should rethink where the Auditor's Office is in the loop of seeing the forms if it makes us more accurate and more efficient. The Board wants to see what pay adjustments have been made and any documentation that exists. Commissioner Van Beek the Board reserves the right to evaluate what's been done outside of the process and that doesn't guarantee anything, it's just an evaluation process. Everybody has to follow the same process. Director Rice asked where the Auditor's Office is in the process with changing the benefit deductions to two (2) even deductions per month. Auditing Supervisor Sarah Winslow said ADP has said they can do that; the Auditor's Office just has to change the settings for the new year. The meeting concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 8, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Boise Window Tint in the amount of \$21,588.00 for the Facilities department (PO #5870)

SURPLUS PROPERTY AUCTION

The Board met today at 10:30 a.m. to conduct a surplus property auction (tax deed property sale). Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Laura Keys, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, other interested persons, and Deputy Clerk Monica Reeves. Commissioner Brooks opened the meeting by reading the pre-auction statement, a copy of which is on file with this day's minute entry. The following parcels were auctioned:

PIN: 02530525 0

ADDRESS: 214 PHOENIX LN, CA, ID

ACRES: 0.71

MINIMUM BID AMOUNT: \$4,718.11

PREVIOUS OWNER(S): GRAYE CANYON INDUSTRIAL PARK, LLC

SOLD TO: Yuriy Sholotyuk

AMOUNT: \$29,000

PIN: 24418000 0
ADDRESS: N MIDDLETON RD, NA, ID
ACRES: 0.46
MINIMUM BID AMOUNT: \$761.09
PREVIOUS OWNER(S): NOEL CLAUDIO
SOLD TO: Eric Booth
AMOUNT: \$5,000

PIN: 30729012 0
ADDRESS: 0 AMITY AVE, NA, ID
ACRES: 0.36
MINIMUM BID AMOUNT: \$1,024.88
PREVIOUS OWNERS: GARRY M ROSE AND JANICE L ROSE
SOLD TO: Lou Murgoitio (V & L Ranches)
AMOUNT: \$6,000

PIN: 31135103 0
ADDRESS: 3557 E COMSTOCK AVE., NA, ID
ACRES: 0.78
MINIMUM BID AMOUNT: \$7,458.59
PREVIOUS OWNER: KNR NEWBY, LLC
SOLD TO: Eric Bowen
AMOUNT: \$63,000

PIN: 35988000 0
ADDRESS: 0 HOWE RD, CA, ID
MINIMUM BID AMOUNT: \$374.22
PREVIOUS OWNER: WILLARD G. MARTIN
SOLD TO: Jay Harper
AMOUNT: \$1,000

The deadline for payment is 4:00 p.m. today. Once payment is received for the parcels the Board will schedule the signing of the quitclaim deeds. The meeting concluded at 10:48 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2023 TERM
CALDWELL, IDAHO NOVEMBER 9, 2023

No Board meetings were held today. The Commissioners attended the Idaho Association of Counties Fall County Officials Institute today. The event was held at the Nampa Civic Center.

APPROVED CLAIMS

- The Board has approved claims 600069 to 600097 in the amount of \$80,011.40
- The Board has approved claim 6000124 ADV in the amount of \$2,229.00

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 13, 2023

No meetings were held this day.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Howard Slack, Risk and Safety Business Partner
- Dion Trimble, Sergeant I
- Luke Cully, Patrol
- William Hopkins, Inmate Control
- Sianna Rose Williams, Dispatch

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Core & Main in the amount of \$12,059.23 for the Solid Waste department (PO #5727)
- Dell in the amount of \$1699.15 for the Information Technology department (PO #5894)
- Dell in the amount of \$4775.63 for the Information Technology department (PO #5893)
- ZoHo Corp. in the amount of \$4555.00 for the Information Technology department (PO #5827)
- Carbon Networks in the amount of \$2862.00 for the Information Technology department (PO #5828)
- Kendall in the amount of \$44,651.00 for the Fleet department (PO #5770)
- Axon Enterprise in the amount of \$26,512.20 for the Sheriff's Office (PO #5876)

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 14, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Gold Medal Construction Corp. in the amount of \$43,020.00 for the Sheriff's Office (PO #5878)
- Elmridge Protection in the amount of \$1019.70 for the Sheriff's Office (PO #5877)

APPROVED CLAIMS

- The Board has approved claims 600125 ADV in the amount of \$396.75
- The Board has approved the October jury claim in the amount of \$7,331.65

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, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Family Court Services Manager Chris Paulsen (left at 9:33 a.m.), Deputy TCA Laura Kiehl (left at 9:33 a.m.), Deputy TCA Benita Miller (left at 9:33 a.m.), Cpt. Ray Talbot (left at 9:41 a.m.), Spillman GIS Manager Forrest Smith (left at 9:41 a.m.), Treasurer Tracie Lloyd (arrived at 9:33 a.m. and left at 10:01 a.m.), Deputy Treasurer Tonya May, Director of Constituent Service Rick Hogaboam, COO Greg Rast, DSD Director Sabrina Minshall (arrived at 9:32 a.m.) and Deputy Clerk Jenen Ross.

Consider Adoption Day Proclamation: National Adoption Day is Saturday, November 18th but will be celebrated Friday, November 17th. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Adoption Day Proclamation.

Consider Legal Notice of Public Hearing Regarding Increase of Fees for Sheriff Civil Unit Services: Revised fees were reviewed at the October 24th meeting and will be discussed at the hearing on December 7, 2023. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the legal notice of public hearing regarding increase of fees for the Sheriff Civil Unit Services.

Consider Memorandum of Understanding Between the City of Middleton and Canyon County for GIS Access / Data Sharing: This action item was tabled from last week awaiting the outcome of the Middleton Mayor election. Mr. Smith explained this MOU and need are still the same as they were last week; permission is granted to Middleton to access and edit data to be pushed back up to the master database maintained by the Sheriff's Office. Access to this data and the sharing of information is especially beneficial to emergency responders for mapping systems. Although data has been shared for years, this is the first written agreement; the Board would like to see this used as a boiler-plate agreement with other cities. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the memorandum of

understanding between the City of Middleton and Canyon County for GIS access/data sharing (see agreement no. 23-157).

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 9:42 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Director of Constituent Service Rick Hogaboam and COO Greg Rast. The Executive Session concluded at 10:01 a.m. with no decision being called for in open session.

Consider a Resolution Authorizing the Issuance of Quitclaim Deeds to Successful Bidders at the November 8, 2023 Auction of Surplus Property: Ms. Keys explained there needs to be some revisions to the resolution and Commissioner Brooks said he is in favor of resolution showing all properties as sold the day of the auction. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to continue this action item to Thursday, November 16th at 9:30.

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 10:04 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Director of Constituent Service Rick Hogaboam, COO Greg Rast and DSD Director Sabrina Minshall. The Executive Session concluded at 10:36 a.m. with no decision being called for in open session.

Consider resolutions granting a new alcoholic beverage licenses to Calle Cafe Inc. dba Calle and Taqueria El Gallito LLC dba Taqueria El Gallito: Commissioner Holton noted these will postponed to later in the morning.

Consider the request for reconsideration for Case No. RZ2022-0011 and SD2022-0034; written decision may follow: This matter was not addressed on the record and no action was taken.

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

MEETING WITH THE COUNTY TREASURER AND COUNTY ASSESSOR TO CONSIDER ACTION ITEMS

The Board met today at 10:37 a.m. with the County Treasurer and Assessor. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Treasurer Tracie Lloyd, Assessor Brian Stender, Deputy P.A. Laura Keys, Director of Constituent Services Rick Hogaboam, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Application for Cancellation of Property Taxes for Nampa Valley Grange, PIN No. 14442000

0: Treasurer Lloyd explained the Nampa Valley Grange has always been a non-profit but this year there was a change in personnel and they failed to get their BOE protest form in on time causing a denial of exemption. The hardship application would grant a cancellation of \$2603.70 in taxes. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the application for cancellation of property taxes for Nampa Valley Grange, PIN 14442000 0.

Consider Casualty Loss Application for Lawrence and Roseann Paishon, PIN 26609000

0: Treasurer Lloyd explained that the home burnt on January 4, 2023 and said that with the HTR and ATR tax credit adjustment the exemption calculations are still being worked thru. Without the HTR or ATR tax credits being calculated the total amount of taxes to be exempted is \$2372.42. Assessor Stender and Treasurer Lloyd spoke to some of the nuances that are complicating the calculation of this exemption including the proration of 4 days for the homeowner's exemption in which the house was still standing; Assessor Stender's recommendation is to just remove 100% of the home for those 4 days, that will eliminate one step in the calculations. Commissioner Van Beek made a motion to exempt the property tax from the structure presented on PIN 26609000 0, the land and/or any other buildings on the property would be subject to taxation, this is specific to the loss on the home. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:48 am. and an audio recording is on file in the Commissioners' Office

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:48 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution granting a new alcoholic beverage license to Calle Cafe Inc. dba Calle:

And

Consider a resolution granting a new alcoholic beverage license to Taqueria El Gallito LLC dba Taqueria El Gallito:

Commissioner Brooks made a motion to approve both resolutions granting new alcoholic beverage licenses to Calle Cafe Inc. dba Calle (resolution no. 23-245) and Taqueria El Gallito LLC dba Taqueria El Gallito (23-246). The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 10:49 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES DEPARTMENT DIRECTOR

The Board met today at 11:00 a.m. for a meeting with the Development Services Director to consider giving direction regarding interpretation of the County's zoning ordinance. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, Deputy PA Zach Wesley, Deputy PA Laura Keys, COO Greg Rast, DSD staff members, George Crookham, and Deputy Clerk Monica Reeves. Deputy PA and Director Minshall have been talking about how to address it with the planners and they want to make sure there is clear communication to DSD staff so they know that when a question of interpretation comes up the Board ultimately decides that, it's not a question for a planner or a historic memo to rely on. The historic memos are valuable to see what was done in the past, but we need to look at these things fresh and not be bound by the opinion of somebody who's no longer with the County so that we are preserving that deference to the Board to interpret its own ordinance and not being bound by legacy opinions. Director Minshall wants to send a memo to her staff about one particular issue - deed interpretation - and she wants to make sure the Board is in concurrence with the direction she wants to give, and to discuss about how the ordinance is convoluted and could be cleaned up. It would be a change to the zoning ordinance and we would have to draft the ordinance for consideration by the P&Z Commission and the Board before anything is finalized or official. In the context of original parcels, the majority of time it's about what is the original parcel as of the originality date that's in the zoning ordinance in terms of when you can do admin land divisions and how many land divisions are available versus when you need to go through a more robust process like a subdivision process because you don't have administrative divisions available. Our ordinance allows you to go up to four but it's based upon the size of the original parcel and to ensure that it's an original parcel. The interest is being able to have more parcels deemed as original parcels because the result of that is you have the ability to do it through an administrative process, essentially entitled to a split without having to go through a public comment or hearing process. Part of the determination is you have to think about the originality date. What was the legal status of the parcels as of that date and it's not always easy to determine that. We cannot stop at just deeds, sometimes someone will say it's an original parcel. The County has changed over time how you can go about splitting your property. Sometimes they were done through

CUPs, rezones, or conditional rezones, and there is a long history of change so you really have to chase the history to determine what is a legal division of property versus what might be a deed. There is an old memo that interpreted how to read the deed to say whether it was one parcel or two parcels and the result of the interpretation was that in many cases it will say you only have only one original parcel where the property owner through their deeds may have thought they had two. The interpretation of that was related to the placement of the word *and*, and the placement of a comma. Not everyone reads it the same way and it's very challenging for the planners when they're doing parcel inquiries. The memo she is looking at giving staff is essentially every time there is a question of an original parcel, do a parcel inquiry. If it's not clear make sure to check with the planning manager, supervisor, or director. At the end of the day it's still going to be an interpretation because there's a lot of history. Some of the suggestions for the ordinance is to clarify terminology about the word *parcel* and contiguous parcels, and write a memo that supersedes all previous memos. Your intent is do an inquiry, do not refer just to the language of ands, commas, and or's. There has been some interpretation over time that's not in our ordinance that is talking about a connector bar on the Assessor map and they have to look through all of the history. When a parcel inquiry comes out sometimes people disagree with it but they have a choice to submit for an administrative land division if we show through our determination that they don't have one we would deny it and they can appeal it to the Board who could decide if they want to accept the appeal. There is a process to appeal, but it's because they would have to apply for the division. There is a remedy for people who don't like the answer. Deputy PA Wesley said the idea of the original parcel is not derived from state law or clearly defined, it's more a creature of the model county zoning ordinance that almost every county in the state has some modified version of. There is a large body of ordinances for us to look at to see how other counties are handling this question. (He handed out a draft of some of the definitions from our zoning ordinance that come into question, the document is attached to this day's minute entry). He reviewed the language for *original parcel*, and *parcel*. The secondary definition is probably where some of the confusion comes from because it's a confusing sentence and we should strike that sentence from the ordinance and make a clearer intent of what we want the original parcel to be and how we look at it in our definition of original parcel. The revision will have to go through the P&Z Commission and the Board could decide after public comment. These are a couple of things that are in a majority of the other definitions of original parcel throughout the state that are missing in our definition. If you have a subdivided platted lot that's binding, we would not look at the deed in that case, we would look at the parcel that you've recorded, or, if you have an unplatted lot the criteria they usually look at for an original parcel is that it's contiguous and that it's under one ownership as of that originality date. If you split your parcel and sold it off prior to that originality date those would be separate parcels, but in order to view them as one they would have had to been on original ownership as of that date and connected. That is what this internal memo was trying to make up for was the lack of instruction in our definition. The other issue is how you interpret the deeds which is what that memo went to and this is something that could be corrected in the definitions as well and you could have direction given firmly about how you want to look at it by adopting it in the zoning ordinance. Possible language could be "the deed would have to have a clear intent to convey the land as separate parcels in order to be recognized as separate parcels", meaning we would look at everything as a single parcel, if they had a confusing and/or definitions we would say it's on one deed, it's a single parcel unless it was explicitly clear that they

intended to convey one parcel and then parcel two separated with a clear definition; but, all of those things should be at the discretion of the Board and we can further clarify it by adopting an ordinance like this is the point. These are just suggestions of how other counties have done this to make it clear. The prior version of the ordinance had a onetime split so if you didn't take all of your splits when you made the split you were done, and the current version allows you to go back and get additional splits by going through a process. Commissioner Van Beek had follow-up questions and there was discussion about what constitutes an original parcel. We need clarification of intent. Commissioner Holton asked when a prior Board made the decision that there were four administrative splits and not just one like everyone else in the state. He finds that appalling because most of our ground is irrigated and of high value and under that theory you could divide ad nauseum. The updated language about administrative land divisions in ag zones was updated on September 14, 2022. As to when it happened originally, it has been at least since 2008, but it could be prior to that. Commissioner Holton talked about his perspective of what he has seen as the Mayor of Greenleaf where there are parcels less than 40 acres that have 5 or 6 homes on it with multiple divisions. Commissioner Van Beek said the ordinance process should be a dynamic process that we continue to look at on a regular basis. Discussion ensued. Commissioner Holton said the Board gets an inordinate amount of communication on this issue but people are not following the appeal process. Commissioner Van Beek said we need the tenure and expertise of people in planning and zoning to help guide the decision-making through ordinances for the Board that continues long into the future. Some of this is case-by-case and it's continuing to evaluate the criteria and the Board is going to go forward. There was further discussion regarding the processes. Director Minshall said the way the ordinance is now and the way staff has been directed is the applicant needs to prove there are actually two separate original parcels. We don't recognize deeds just because someone deeded something off, we have to research the history and if we don't agree, we need to let people go through the amendment process because it will inform where we see gaps, but she wants the Board's direction of how it wants staff to update that. Commissioner Brooks said the use of the word *clear* is ambiguous. If you had a deed in 1975 why would you think or know to be specific in what the intent was in defining if it was separate parcel or two separate parcels. You don't prophetically know that an ordinance is going to exist years later. Is it a reasonable expectation that the intent should be specified? What else would you use to determine what the intent was if you don't use the deed? He said he has more questions than answers. Director Minshall said part of the intent of when they would do those deeds is related to what Legal is proposing to the ordinance, it's about single or joint ownership. Who owns it and is it contiguous? In most cases if they are describing it as two separate pieces it's because they are transferring it. Rarely will you see two separate deeds describing it the same if it's a single owner and they are contiguous. It was because that division/sale/giving away process prior to the zoning ordinance was the conveyance of land. That's different than afterwards they can convey land through a deed, but now we have a zoning ordinance to make sure it's legitimate. Deputy PA Wesley said this will show where there are potential problems in the ordinance and where we lack clarity and whether other people are providing more clarity. He wants to make sure the Board is on board with the idea of the approach that we are not looking at historic memos that are 20-30 years old anymore, and we need to make sure we are current with the Board's interpretation of the ordinance when we are interpreting things and so having direction to DSD staff in that regard. He likes the idea that people are paying

for their parcel inquiry, the research is being done, and it's getting to the director's decision that can be appealed to the Board and we are not bound by the prior memo. We are seeing a flood of these now because the 2022 ordinance amendment is more generous than the prior version and there is more room to argue and more to be gained. Commissioner Holton wants to schedule a time to revisit the 2022 ordinance. There was more discussion about the process for appealing the Director's decision. Commissioner Van Beek asked if we can destroy those records we stumble on, specifically the memo that directed staff to do certain things? Deputy PA Wesley said they could be added to the list of items to be destroyed in the records destruction resolution. Director Minshall said there is also a two-year-old document a planner produced which walked people through it, however, some staff said that's not how it's done so she has no problem issuing a memo that rescinds and replaces anything else they may find in the files, and also explains the process to be followed. In most cases the research is done, property owners accept or provide additional information, they apply for an administrative decision, or they go through a different process. These are relatively limited where there are people who see it in a different way. Commissioner Holton asked Director Minshall to track staff's average time for a parcel inquiry. Commissioner Van Beek said the 1979 date is 44 years old so every year we progress into the future will date that and increase the research time, and she said there was some discussion of looking at moving the origination date 25 years forward, however, if you listen to the audio of that meeting, that created the Pandora's box because it would make everything for that 25 years segment classified as an original parcel and subject to additional splits and the effect would be tremendous and unmanageable. Director Minshall said as we make history in a few years they will be working with IT and the Assessor's Office to get a map layer that says as of this date what existed, but that will take some time because the records are challenging. Following discussion, the Board was in agreement for Director Minshall to issue a memo to rescind and replace and here's your process yet, not to be as specific of what we are looking at in the ordinance and then we will continue to look at other jurisdictions, bring it back to the Board and in the meantime if someone doesn't like their parcel inquiry they can apply for the "AD", we can deny it and then move it forward. The meeting concluded at 11:58 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION; AND COMMUNICATE WITH THE COUNTY'S RISK MANAGER

Commissioner Van Beek made a motion to go into Executive Session at 3:46 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d), (f) and (i) to discuss a personnel matter, records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation, and communicate with the County's risk manager. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks 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, COO Greg Rast, Chief Civil Deputy PA Carl Ericson via conference call, HR Director Kate Rice, HR Business Partner Jennifer Allen, CIO Steve Higgins, Assistant IT Director Eric Jensen, and IT Business Manager Caiti Pendell

via conference call. The Executive Session concluded at 4:30 p.m. with no decision being called for in open session.

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 15, 2023

APPROVED PAYROLL NOVEMBER 17, 2023

The Board approved the November 17, 2023 payroll in the amount of \$2,446,238.46

CANVASS ELECTION - CANYON COUNTY ELECTIONS OFFICE

The Board canvassed election results for the November 7, 2023 election. The official documents were presented by Elections staff and were signed in the Elections Office.

PAYROLL UPDATE MEETING

The Board met today at 11:06 a.m. for a payroll update meeting. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, HR Director Kate Rice, HR Compensation/Benefits Manager Bosco Baldwin, Sheriff's Financial Manager Dave Ivers, Captain Ray Talbot, Auditing Supervisor Sarah Winslow, Clerk Chris Yamamoto, Controller Zach Wagoner, COO Greg Rast, and Deputy Clerk Monica Reeves.

Director Rice said there was a meeting last week where issues were brought up that she had no prior knowledge of and she felt blindsided by some of those things so she met with staff and today they will address the concerns. If there are issues going forward she would appreciate the Auditor's Office affording her the professional courtesy of letting her know rather than blindsiding her with an example that was not germane to the topic that was being discussed at that time. The vague allegations of over payments and under payments were dug into and the details are available so they will move forward as the Board sees fit.

Commissioner Van Beek questioned the issue of an employee status change form (blue sheet) that had an hourly rate of \$37,000. Director Rice said it was a blue sheet from September and she had no idea that had happened prior to last week's meeting. Commissioner Van Beek believes it had been flagged at the BOCC level and never made it to the Auditor's Office. Director Rice said it was simply a mistake where an \$18-per-hour employee's salary translated in a different space on the form and was identified at \$37,440, which is the annual salary of an \$18 hour employee. It was right after the change where they had agreed that all nonexempt salaries would be reported only as an hourly rate. It was an employee from one of the Board's department, but it was never processed as a \$37,440 per hour person. Bosco Baldwin said the blue sheet did go through and it was signed by two commissioners, himself, and the department director. The annually salary was

incorrectly written in the hourly salary space. He addressed the issues raised at last week's meeting as follows:

Payroll had identified four issues, two overpays and two underpays in the Sheriff's Office. All four were caught through a self-audit by the Sheriff's Office when comparing their information to the payroll roster that Mr. Baldwin sent them and as a result they submitted a corrected blue sheet. Employee A had an omission of certificate pay so there was a correction to add that pay back in. Employee B's K-9 pay rate increase was missed so they applied the new rate as a correction. Employee C had a blue sheet submitted on August 1st and there was a correction made as a result of the audit. Employee D was a K-9 specialty pay correction.

Beyond those four identified by the Auditor's Office, there are two others where people were hired in September as call takers and that title has changed to emergency communications officer and per the Board's direction that there will be no pay increases for people who get hired after August 1st, or pay increases after August 1st, those two were flagged and not given a second thought. They were in the range at the time they were hired and subsequently two blue sheets have been done to bring them up to the emergency communications officer positions.

Regarding the hourly rate issue, the new forms will correct that issue because the base pay is shown and he will doublecheck the amount. He apologized for the mistake.

Mr. Baldwin said as he was going through the audits he found a situation where a TCA employee was incorrectly capped because he thought the person was paid over their wage range, but that was incorrect. He had a conversation with the Deputy TCA on October 17 and he sent an email to the Auditing Supervisor indicating he overlooked a wage and advised what the correct pay should be, but he did not follow up with a blue sheet. (The person was capped on the original submission to the BOCC which was incorrect.) He has been working with the TCA since the end of September on a couple changes they are looking to make, this person being one of them, where they are taking three job descriptions and bringing it into one, and this person has had the wrong title for years and so it was going to be part of a package that will be brought to the BOCC within the next week. Chairman Holton asked why Mr. Baldwin sent an email rather than a blue sheet. Mr. Baldwin acknowledged he made a mistake and said a corrective blue sheet will be done with this simple reorganization. The TCA is hoping to create a treatment coordinator position and presenting the reasons why they want to do that. COO Rast said a blue sheet needs to be done now, we don't want to wait for a reorganization to recapture history.

COO Rast said the last payroll meeting caused a stir and the Sheriff's Office was concerned about the allegations of payroll making changes over email and they don't want the Board to think they are trying to change salaries without a blue sheet and they want it on the record as a correction that they do not circumvent the process. Captain Talbot said Chief Hart wanted to convey that they do an annual audit line-by-line to make sure that what the board has approved is what the employees are being paid and that they are CCSO is communicating with HR if they find discrepancies, and any changes they are making are via a blue sheet, they are not making changes through emails or telephone conversations. They are using the process as described and as

mandated by the Board. Commissioner Van Beek appreciates the level of diligence to provide quality and detailed information, and she appreciates the clarification and apologized for any offense. Commissioner Holton said the Auditor's Office should have a blue sheet on everything or do nothing and it bothers him that HR staff still felt at liberty to email the Auditor's Office. We need to ensure that when Auditing gets a blue sheet it is golden; an email does not count. Mr. Baldwin said it will not happen again. COO Rast said there were emails back and forth from HR and Auditing, and all but one was backed up by a blue sheet.

Controller Wagoner said there are a few more that are not backed up by blue sheets. Commissioner Holton wants it uncovered and dealt with. The Controller said the goal is to pay people accurately and timely, and on September 25 the Auditor's Office was provided with an email and a spreadsheet and he believes the numbers on the spreadsheet were approved by the Board by resolution. The Auditor's Office was provided a second spreadsheet on September 29 and some of those amounts are different than what was provided on September 25, and they have not been able to reconcile/identify every single instance of a change with a blue sheet. There are some where they cannot identify any formal Board action approving the payrate. Commissioner Holton wants the discrepancies resolved. Mr. Baldwin said on September 25 he was trying to get information to the Auditor's Office and there were last-minute changes on specialty pay that they were not aware of and it was brought to his attention that some people had specialty pay that HR was not aware of so he did some research and removed the specialty pay so that the 3% increase did not include specialty pay because today it's all lumped together rather than separated out. The differences between September 25 and September 29 is the removal of specialty pay, the 3% was added, and specialty pay was added back in and that is the information he sent to the Auditor's Office. Commissioner Van Beek said validation has to be submitted or specialty pay will be removed, and including specialty pay in base pay is not the right thing to do. She said Mr. Baldwin was doing what he was tasked to do by the Board. COO Rast said there are two efforts that will be started in HR and that's 1) getting new signatures on the vehicle use policy and user agreement, and 2) specialty pay validation.

Commissioner Holton wants at least one person witnessing all of the documentation and attesting that it is true and valid. He said he is done approving payroll without someone down the chain signing their name that says it's been reviewed and is true and valid. They have two weeks to do it. Commissioner Van Beek agrees and said the Board is looking for anomalies such as overtime, paid administrative leave, and benefits payout, for example. Controller Wagoner said before the \$2 million payroll number gets to the Board there are multiple reviews, approvals, and sign offs. The employee certifies their hours and it's reviewed and approved by a manager, and it's reviewed by the payroll clerk for anything that looks out of place. There are multiple checks and balances that have been happening for many years throughout the process get to that total final number. With the Sheriff's Office 28-day personnel with overtime, the amount is going to be different from payroll to payroll.

Commissioner Holton asked if there is documentation for the September 25 vs. September 29 spreadsheets. Mr. Baldwin said at the end of the day, the bottom line dollar amount went down from September 25 to September 29 because there was specialty pay included, so he went back

through and removed it so they didn't give a 3% on top of the specialty pay. He fixed it and resubmitted it. They also adjusted the decimal point issue. The process is better today than it was because with the new forms it's a lot more difficult to make an error. COO Rast said the key is to find out which document made it to Auditing to make sure it was approved for FY2024 because if the September 25th document was approved in the budget and there are changes on September 29th we need to call those out and get them approved. Whatever was agreed on for the budget is the "x" amount of blue sheets the Board approved in bulk. Mr. Baldwin said the amount went down because specialty pay wasn't identified. COO Rast said if it's in bulk and the difference is a penny, we may have to do another resolution for bulk approval. Controller Wagoner said his concern is if the outside auditor wants to see the blue sheet for an employee and the most recently approved document by the Board doesn't match what's in ADP that's problematic. Mr. Baldwin said he doubts that will happen because doublechecked every blue sheet for the last month and there was not one error.

Director Rice asked what the Board's expectation is for receiving the justification or documentation of changes? Commissioner Holton wants to have separate meetings with the COO and make sure that what he wants makes sense and is attainable because he's asking for something between two departments and he doesn't want to cause a problem. COO Rast said the Board is looking for the form that comes with payroll, something with a final attestation that they have checked it and that the department has signed off on the form saying everything is accurate and true before the Board approves it. Controller Wagoner asked if the Chairman is wanting more than just a signature, does he want a report/spreadsheet with details? Commissioner Holton said he thinks he does, but he will not say it out loud until talks to people behind the scenes and makes sure what he wants makes sense. For now he just wants the signature. Controller Wagoner is open to further communication and exploring what the Auditor's Office can provide. The meeting concluded at 11:52 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH INFORMATION TECHNOLOGY TO DISCUSS NOVEMBER 7, 2023 NETWORK DOWNTIME AND REMEDIATION SUMMARY

The Board met today at 2:04 p.m. with the Information Technology department to discuss the November 7, 2023 network downtime and remediation summary. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, IT Director Steve Higgins, Assistant IT Director Eric Jensen, Operations Manager Jairo Rodriguez, Network Architect Chris Everett, Project Manager Shawn Adamson, Development Manager Steve Webb, Network Administrator Curtis Long, App Support Analyst I Micki Schlapia, Computer Network Technician Dave Larson (arrived at 2:11 p.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Rast explained he asked for this meeting so IT could provide the Board with an explanation of the events due to the timing being election day and to speak to why DR (disaster recovery) was not invoked. Mr. Higgins provided a timeline and summary of the chain of events.

- At 12:30 a.m. on 11/8 they were notified that there was an internet outage; at which time the on-call personnel enacted themselves.
- The primary service provider (Lumen) had been doing some maintenance and were down/disconnected.
- Mr. Higgins made the decision at that point to allow Lumen to continue working on the issue to see if they could get the service back up.
- At about 5:30 a.m. IT decided to move over the secondary circuit – at this point they started to bring things back up but the DR plan did not work because there are some components to the plan that didn't work at that particular time.
- At about 12:30 p.m. on 11/8 services were restored.
 - Mr. Higgins noted that many of the services were restored internally but there where external facing components that the public was not able to access and even some county employee services such as VPN and the internal and external website. This is because there are components of the DR that did not work.
- Some of the problems noted were:
 - Communication between Director Higgins and his team; and better communication with the service provider.
 - Director Higgins' need to better understand the eco-system in which the county operates.
 - The decision to move services over to the secondary circuit wasn't made soon enough.
 - There were elements of the DR plan that were broken and did not respond the way they were supposed to.
 - The disaster recovery plan needs to be evaluated to make sure it is viable. Director Higgins would like to look forward 3-5 years. Resiliency and redundancy allow for a larger area problem to be addressed.
 - The county wasn't prepared for the service provider to go down, it had never been tested. He doesn't know if a "soft test" was ever done due to his lack of time with the county.
 - One of Director Higgins' goals and objectives of this first year as the IT Director is to make sure the county has tested the capability to address these types of issues.
- Remediation/moving forward:
 - Bi-weekly meetings to discuss and evaluate the fault points, what was broken, what didn't work, why didn't it work, who else needs to be involved, is there another product that is needed.
 - Director Higgins noted that the date on the disaster recovery plan is from 2018 understanding that other real-world events may have taken resources from focusing on updating the plan.

- Prioritizing the 5 main services - networking, domain services, email, telephony, webservices.
- Need to evaluate what the county currently has; make sure it's being fully implemented and if not there needs to be a candid conversation about what isn't working.
- There needs to be an evaluation of making sure implementation of new processes is the right choice. With the disaster recovery plan being 5 years old there is no guarantee it would have worked; technology changes drastically in a 5-year span. There are a lot of updates that need to be done the disaster recovery plan to make it viable and effective.

Further discussion ensued regarding the timeframe to switch over networks, the apparent move from an automated system back to a manual system and lack of a current disaster recovery plan.

The meeting concluded at 2:30 p.m. and an audio recording is on file in the Commissioners' Office.

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

Commissioner Van Beek made a motion to go into Executive Session at 2:39 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 Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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, DSD Director Sabrina Minshall and COO Greg Rast. The Executive Session concluded at 3:57 p.m. with no decision being called for in open session.

NOVEMBER 2023 TERM CALDWELL, IDAHO NOVEMBER 16, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Freeform in the amount of \$26,944.64 for the Trial Court Administration office
- SHI in the amount of \$20,213.00 for the Information Technology Department (PO #5895)
- Dell in the amount of \$1,538.24 for the Information Technology Department (PO #5896)
- Dell in the amount of \$2,707.49 for the Information Technology Department (PO #5897)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Sheila Warner, Juvenile Detention Officer
- Cody Bailey, Deputy Sheriff
- Brenda Lawrence, Assistant Drug Court Coordinator

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, Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Elections Operations Supervisor Brandi Long (left at 9:35 a.m.), Treasurer Tracie Lloyd (left at 10:14 a.m.), Deputy Treasurer Tonya May (left at 10:14 a.m.), EOM Christine Wendelsdorf (left at 9:38 a.m.), Director of Constituent Services Rick Hogaboam, Ron Amaral (left at 10:14 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Classifying Records of the Canyon County Clerk and Authorizing Destruction of Certain Records: Ms. Long explained this is for old election items. The retention dates are varied and outlined in the resolution. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution classifying records of the Canyon County Clerk and authorizing destruction of certain records (resolution no. 23-247).

Consider 2023 EMPG Subrecipient Agreement and 2023 State Homeland Security Grant Program Subrecipient Agreement for Canyon County:

Ms. Wendelsdorf explained that these are grants received every year thru the Idaho Office of Emergency Management and Homeland Security. The award amount for the EMPG grant is \$272,864.30 which goes toward expenses related to the Emergency Manager's wages and other emergency management items. The Homeland Security grant award is \$310,722.04 which goes to different projects funded throughout the county for first responders, schools or other projects being built. A portion of this year's grant will go to the emergency management incident management team restructure. There is also funding being allocated to trauma kits for the ambulance district and every school in Canyon County.

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the 2023 EMPG Subrecipient Agreement for Canyon County (agreement no. 23-158).

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the 2023 State Homeland Security Grant Program Subrecipient Agreement for Canyon County (agreement no. 23-159).

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 9:41 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May and Director of Constituent Services Rick Hogaboam. The Executive Session concluded at 10:11 a.m. with no decision being called for in open session.

Following the executive session, the below action item was considered:

Consider Signing Resolution Authorizing the Issuance of Quitclaim Deeds to Successful Bidders at the November 8, 2023 Auction of Surplus Property - continued from 11/14/23: Commissioner Brooks noted that the last time this action item was discussed legal was given direction to proceed with the sale as-is when the auction concluded and he is still in favor of that action. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution authorizing the issuance of quitclaim deeds to successful bidders at the November 8, 2023 auction of surplus property (resolution no. 23-248).

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 10:15 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel and Director of Constituent Services Rick Hogaboam. The Executive Session concluded at 10:33 a.m. with no decision being called for in open session.

Following the executive session, the below action item was considered:

Consider resolution granting a new alcoholic beverage license to McNabbs Vape Lounge LLC dba McNabbs Vape Lounge: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the resolution granting a new alcoholic beverage license to McNabbs Vape Lounge LLC dba McNabbs Vape Lounge (resolution no. 23-249).

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

COO WORKSHOP - GENERAL DISCUSSION AND DIRECTION

The Board met today at 1:24 p.m. for a COO workshop. Present were: Commissioners Leslie Van Beek and Brad Holton, Director of Constituent Services Rick Hogaboam, COO Greg Rast and Deputy Clerk Jenen Ross.

Discussion topics were as follows:

Updates from Mr. Hogaboam:

- Impact Fee Advisory Administrator and Advisory Committee
 - Commissioners Van Beek and Holton are supportive of Mr. Hogaboam being designee and a resolution drafted to make that appointment.
 - Update on the new legislation governing impact fee advisory committees (subsequent to appointments made in 2019).
 - Mr. Hogaboam would like to advertise that the Board is looking for applicants to participate on the advisory committee; previous committee members are welcome to apply again but not all may be able to participate since the implementation of the updated statutory requirements.
 - Per Mr. Rast, a discussion specifically regarding impact fees will be scheduled for a later time.

Update from Mr. Rast

- Public hearing direction on an elections experience
 - Commissioner Van Beek requested this be discussed when Commissioner Brooks is available to participate.
- Met with HR
 - Provided an update on the top 8 priorities of the Board
 - 100% enrollment was reached for open enrollment
- Courthouse building hours
 - Mr. Rast will speak with the Sheriff's Office and/or the Marshals to see about getting the building opened earlier than exactly at 8:00 as court cases can often start as early as 8:15 and participants may be delayed trying to get into the building.
- Juvenile Detention food contract
 - Summit Food Services has added a clause regarding the county hiring any key employees.
 - This is affecting state reimbursement thru the school lunch program.
 - County legal is continuing to work thru the contract.
- Private landfill issue
 - The Board may receive a letter from Elmore and/or Boise Counties requesting to bring municipal solid waste out to the Pickles Butte Landfill.

- Boise County would bring one truckload a week, approximately 20 tons.
- Director Loper is not concerned about the amount but feels there are a lot of logistics to be worked thru.
- Initially, Commissioner Van Beek is not in favor of this; Commissioner Holton would like to see it presented to the SWAC for input.
- Food vendors on the courthouse campus
 - Mr. Rast will meet with legal the week of the 27th on this topic to work thru the process.
 - The Board is supportive of continuing to move forward with this.

The meeting concluded at 2:01 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER COUNTY ANNUAL JUVENILE JUSTICE REPORT FOR THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS

The Board met today at 2:30 p.m. to consider the County Annual Juvenile Justice report for the Idaho Department of Juvenile Corrections. Present were: Commissioners Brad Holton and Zach Brooks, Director of Juvenile Probation Elda Catalano, Assistant Director of Juvenile Probation Jose Orozco, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Orozco reviewed the report with the Board which provided a one-day snapshot from September 30, 2023. The areas reviewed included supervised diversion, supervised probation, petitions filed during reporting period, recidivism, restitution and community service.

The Board would like Mr. Hogaboam to work with Director Catalano and Mr. Orozco to put out a press release about their successful numbers.

Commissioner Brooks made a motion to sign the County Annual Juvenile Justice Report for the Idaho Department of Juvenile Corrections. The motion was seconded by Commissioner Brooks and carried unanimously. A copy of the report is on file with this day's minutes.

The meeting concluded at 2:43 p.m. and an audio recording is on file in the Commissioners' Office.

NOVEMBER 2023 TERM
CALDWELL, IDAHO NOVEMBER 17, 2023

No meetings were held today.

NOVEMBER 2023 TERM
CALDWELL, IDAHO NOVEMBER 20, 2023

No meetings were held today.

APPROVED CLAIMS

- The Board has approved claims 600126 to 600165 in the amount of \$360,385.16
- The Board has approved claims 600166 to 600190 in the amount of \$27,025.23
- The Board has approved claims 600191 to 600223 in the amount of \$589,277.82
- The Board has approved claims 600224 to 600271 in the amount of \$25,772.39
- The Board has approved claims 600272 to 600323 in the amount of \$352,778.81
- The Board has approved claims 600324 to 600359 in the amount of \$287,701.86
- The Board has approved claims 600360 to 600386 in the amount of \$17,377.77
- The Board has approved claims 600387 to 600419 in the amount of \$18,001.20
- The Board has approved claims 600420 to 600454 in the amount of \$149,444.24
- The Board has approved claims 600455 to 600474 in the amount of \$66,928.84
- The Board has approved claims 600475 to 600514 in the amount of \$88,999.04
- The Board has approved claims 600515 to 600546 in the amount of \$25,037.68
- The Board has approved claims 600549 to 600641 in the amount of \$37,896.15
- The Board has approved claims 600642 to 600681 in the amount of \$106,637.78
- The Board has approved claims 600682 to 600718 in the amount of \$90,380.23

NOVEMBER 2023 TERM
CALDWELL, IDAHO NOVEMBER 21, 2023

No meetings were held today.

APPROVED CLAIMS

- The Board has approved claims 600721 to 600734 in the amount of \$4,211.33

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ACCO in the amount of \$4805.00 for the Facilities department (PO #5868)
- Grainger in the amount of \$1,973.23 for the Facilities department (PO #5867)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Adam Isla, Deputy Sheriff
- Kathy Martinez, Clerk II
- Kristina Estrada-Radke, Clerk II
- Michael Turner, Deputy Sheriff I
- Ana Gonzalez, Legal Support Specialist I
- Amaia Vicandi-Bow, Public Defender Investigator I
- Nicholas Baker, PA Limited Licensed Intern

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 22, 2023

No meetings were held today.

APPROVED CLAIMS

- The Board has approved the November election claim in the amount of \$41,335.00

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 27, 2023

A Board majority attended the Treasure Valley Partnership meeting today from 10:00 a.m. to 1:00 p.m., at the Nampa City Hall

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Silent 6, LLC, in the amount of \$2,390.00 for the Sheriff's Office (PO #5879)
- Handcuff Warehouse in the amount of \$4,284.00 for Juvenile Detention (PO #5912)
- Dell in the amount of \$1,899.36 for the Information Technology Department (PO #5898)
- Desktop Alert in the amount of \$6,700.00 for the Information Technology Department (PO #5901)
- Dell in the amount of \$2,325.90 for the Information Technology Department (PO #5900)

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 12/2/23, 12/3/23, 12/6/23, 12/7/23, 12/8/23, 12/9/23, & 12/14/23; Craft Lounge to be

used 11/30/23; and Grant's Grill to be used 12/1/23 & 12/9/23; and Capitol Bar to be used 12/2/23.

APPROVED MINUTES

The Board approved the minutes for the September 2023 term.

MEETING WITH THE HR DEPARTMENT TO CONSIDER AN ACTION ITEM

The Board met today at 2:00 p.m. with the HR department to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, HR Director Kate Rice, HR Business Partner Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross.

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

Commissioner Van Beek made a motion to go into Executive Session at 2:01 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, HR Director Kate Rice, HR Business Partner Jennifer Allen and COO Greg Rast. The Executive Session concluded at 2:16 p.m. with no decision being called for in open session.

No action was taken on the action item to consider release agreement for Information Technology department.

The meeting concluded at 2:16 p.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONSIDER A RESOLUTION GRANTING A CHANGE IN APPLICATION TO COSTCO WHOLESALE CORPORATION DBA COSTCO WHOLESALE #734 FOR AN ALCOHOLIC BEVERAGE LICENSE

The Board met today at 2:34 p.m. to consider a resolution granting a change in application to Costco Wholesale Corporation dba Costco Wholesale #734 for an alcoholic beverage license. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. Commissioner Brooks stated that he reviewed the application and is supportive of granting the change – he then made a motion to sign the resolution granting a change in application to Costco Wholesale Corporation dba Costco Wholesale #734 for an alcoholic beverage

license. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 23-250).

The meeting concluded at 2:35 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH TODD LAKEY REGARDING BLACK CANYON IRRIGATION DISTRICT AND TILING

The Board met today at 3:01 p.m. with Todd Lakey regarding the Black Canyon Irrigation District and tiling issues. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Operating Officer Greg Rast, Chief Civil Deputy PA Carl Ericson, DSD Director Sabrina Minshall, Director of Constituent Services Rick Hogaboam, Todd Lakey, Alan Mills, Matt Wilke, Tyler Hess, Jon Cotner, Dave Callister, Jay Gibbons, Ron Amarel, George Crookham, Jo Dee Arnold, local contractors and interested citizens, and Deputy Clerk Monica Reeves. Todd Lakey appeared on behalf of the Snake River Valley Building Contractors Association and other clients who can no longer tolerate the onerous and unlawful requirements of Black Canyon Irrigation District (BCID). The district adopted new piping and fencing requirements on April 18, 2023 requiring all landowners to pipe all laterals and ditches on the property. They also adopted fencing requirements for a 6-foot chain link fence on either side with gates at the end, but BCID lacks the statutory authority to require a landowner to move or pipe a ditch that they may operate, and they are making the County their enforcer through what is mostly a general condition of compliance. This presents several legal problems. Many projects were approved prior to the April 18th deadline and there was no opportunity to address the additional requirements that were imposed because they didn't exist at the time and that violates the landowners' right of notice and opportunity to be heard on that requirement. Mr. Lakey urged the County not to apply the April 18 requirements to any previous cases and said there is no specific finding in those cases regarding the need for piping or the fencing, so it's a taking. There has to be a connection between the requirement and the impact of the project. BCID has adopted a general condition without any specific findings in the land use approval regarding those. The fees charged by the district are exorbitant and unreasonable where they have an engineer and essentially give them a blank check and landowners have to pay him directly. There are examples where costs to review an engineered drawing are three times the cost of the engineer that drew and stamped it. The district is not a signer on the final plats, but they are acting and being treated as if they are. Mr. Lakey asked the Board to push back on that requirement and not support those tactics and requirements. His clients are looking for assistance from the County and they could take legal action against the district but the district could say they are not the one imposing the requirement, the County is which would necessitate the County's involvement in the process. He doesn't believe the County can have the generic statement about complying with their requirements; they need to be specific and have a specific finding, and then limit the requirements to the statutory authority. If BCID wants to move the pipe they can do it with the landowner's permission at their expense unless they can show that the exaction is tied to a specific impact. Following his comments, Commissioner Van Beek had follow-up questions. The following people offered comments about their experiences with BCID:

Jon Cotner said on one of his projects the district wanted him to redesign a highway district approved storm drain swale because it was too close to their lateral and they wanted the swale moved 50 feet from the lateral which required a redesign of the system which means they had to send to the highway district for reapproval and it cost thousands of dollars to review the design. He said the BCID engineer requirements for changes would double the cost of his entire project and make it nonviable, or, he could provide a check equal to 70% of those costs that BCID would keep in the event they chose to make the changes themselves. He has to do either of those things before he can bring the plat to the County. The district also wants a 6-foot non-burnable fence built outside of their easement, and they want him to give them another easement on his neighbors' property to ensure water delivery, and he to agree to it in order to move through the process of bringing the plans back to the County. Mr. Cotner said BCID should be acting in an advisory capacity to the County, but they have made up their own standards and are trying to enforce those standards while making the County the enforcement agency. He said DSD and the P&Z Commission need to clearly define that Idaho laws need to be followed in the zoning and platting stage, not independent agency standards that do not follow the law. The Board had follow-up questions for Mr. Cotner regarding the review process. Commissioner Holton asked if the contractors have met with the irrigation district's board? Mr. Cotner said they have been meeting with the district's engineer and they didn't feel it would be advantageous to meet with the board so they chose to meet with the Board of Commissioners. Mr. Lakey said BCID has a variance process but that presumes that they have the authority to do what they are doing and you have to get their permission to do it, but that's not correct, people should not have to ask for a variance.

Tyler Hess gave examples of how the BCID requirements have impacted his projects in terms of them wanting different piping and then after installation they had other changes they wanted him to make which resulted in more delays and excessive fees where the engineer sends invoices for site visits that are above the normal review process, and now with the requirements on the chain link fences and the canals it's come a point where the contractors are doing more work on BCID's infrastructure. Commissioner Van Beek asked why the County's engineer or the contracted engineer do not do the site visits? Commissioner Holton said it's a complicated issue so he will check with DSD and Legal and work towards a position.

Matt Wilke said the new standards go beyond subdivision applications, it's also for administrative land divisions. The process takes months and months and the engineering costs from BCID are very high, they typically charge a \$1,000 intake fee and then a review fee can be \$9,900 and it can go up from depending on what they get into it, and it doesn't cover any of the approvals.

Dave Callister said it's a common principal that a government entity cannot grant a third party a power that they themselves don't have the power to do. Canyon County has created this mess by granting BCID the authority over plats and the only way the contractors can resolve the legal issues is to sue the County because the County has to stop giving authority to the irrigation district. The contractors are happy to follow state statutes but they do not want to go beyond that. Mr. Callister spoke about one of his projects near Middleton where one-third of the entire development cost was BCID piping requirements and they required him to do work beyond the district's authorized point source or they would not sign off on the plat. He had to tile a ditch in

one area and it was a \$5,000 fee for his engineer to design it, but he had to pay BCID a \$10,000 fee or they wouldn't review it.

Jay Gibbons agrees with the previous comments about the fees and ridiculous specifications. On one of his projects BCID wanted him to move the ditch further onto his property because it interfaces with a landowner that isn't part of the development but rather than wait for that landowner to develop and incorporate the money the district would have collected, BCID now wants him to move the ditch to his property and do the complete installation which isn't fair and it's beyond the scope of their authority. He estimates it would cost \$2-\$3 million to pipe the area which is very burdensome and cancels the project out as being viable. Fencing is another concern because a 6-foot chain link fence will do nothing but collect weeds and be an eyesore, and in one case a landowner cannot get to the rest of his property without going over the fence. This has gone too far.

Alan Mills estimates there are 300-400 lots being affected by the issues discussed today. The comprehensive plan encourages laterals and canals to be left open for recharge, and if we bury the laterals along with all the pivot conversion and wheel line conversions were just going to send the water down to someone else and that is not in our best interest. Some canal companies recognize this and don't want to cover theirs.

Ron Amarel wanted to comment; however, Commissioner Holton did not allow it and said it was out of context because the meeting was to hear comments from Mr. Lakey and developers.

In closing, Mr. Lakey said going forward perhaps there is some clarification to do in the ordinance, but the immediate thing is for the County to say it's not going to impose the new standards BCID adopted on April 18, 2023 for projects that were approved prior to that time. Even cases after that time should have a specific finding that the fencing is appropriate, is roughly proportional, and there is a nexus, and that piping is roughly proportional and there is a nexus. If a case approved prior to April doesn't have that specific finding then the County is not going to impose those standards. Commissioner Holton wants to invite the BCID board to meet with the Board of Commissioners. Commissioner Van Beek agrees. The meeting concluded at 4:14 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 28, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Northwest Land Services, LLC, in the amount of \$8,400 for the Development Services Department (PO #5934)
- Imprint City in the amount of \$4,563.45 for the Facilities Department (PO #5869)

- Advance Cleaning Equipment in the amount of \$25,576.00 for the Facilities Department (PO #5913)

APPROVED EMPLOYEE STATUS CHANGE FORM

- The Board approved an employee status change form for Michael Bruce Mauldin, Deputy Judicial Marshal.

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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Landfill Director David Loper (left at 9:53 a.m.), Director of Constituent Services Rick Hogaboam, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Change Request No. 1 with Central Paving Co. Inc., regarding Pickles Butte Sanitary Landfill Hardscaping: This change order is for additional strips that should have been included from the start of the project. The areas to be paved include the ingress/egress to the scale houses in order to prevent erosion. The change order amount is \$25,645.05 and \$390,000 was budgeted in 'other improvements' so funds are available. Discussion ensued regarding paving when the temperature is below 40 degrees or there is inclement weather; Director Loper clarified that there will need to be written permission to proceed before the work can be done and that will not be granted in the event weather conditions are not favorable to paving. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign Change Request No. 1 with Central Paving Co. Inc., regarding Pickles Butte Sanitary Landfill Hardscaping (agreement no. 23-160).

Consider Crane Alarm Service Agreement: Director Loper explained that currently if an alarm goes off the caretaker is the first to be notified followed by landfill staff. He would like to move to a 24/7 monitoring service with a triage system based on the type of alarm alert. With this agreement service will be effective today and the cost will be \$50/monthly for monitoring. Discussion ensued regarding connectivity methods. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Crane Alarm Service agreement (agreement no. 23-161).

Regarding the camping and parking ordinance, Mr. Ericson will work to have that to the Board next week. Additionally, there is a draft version of the e-signature policy, it just needs some final edits but legal also hopes to have that to the Board next week. Mr. Wesley is working on a URA/Hilty response and is hoping to have something before the Board at Thursday's legal staff update. Legal will start the review of the Moore Elia Kraft engagement letter; Mr. Rast will send his draft to Mr. Ericson.

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 10:00 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 Holton. Commissioner Holton took a roll call vote where he along with Commissioner Van Beek voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Director of Constituent Services Rick Hogaboam and COO Greg Rast. The Executive Session concluded at 10:15 a.m. with no decision being called for in open session.

Following the executive session Commissioner Van Beek made a motion to adjourn. The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 10:16 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS ABATEMENT OF PROPERTY LOCATED AT 15580 CANTRICE LANE, CALDWELL (R23266026)

The Board met today at 10:30 a.m. to discuss abatement of property located at 15580 Cantrice Lane, Caldwell. Present were: Commissioners Leslie Van Beek and Brad Holton, Code Enforcement Supervisor Eric Arthur, Director of Constituent Services Rick Hogaboam, COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider code enforcement abatement for property located at 15580 Cantrice Lane, Caldwell (R23266026): Mr. Arthur explained this property has been in violation for approximately 18-months. A public complaint was made in July of 2022 and from that point an inspection was done, photos were obtained and the regular due diligence process was followed. Mr. Arthur provided a review of dates as protocols were followed. The estimate for abatement from NW Land Services is \$8400. Removal of the vehicles is not included as they are considered real property and would fall to the Sheriff's Office. Commissioner Van Beek made a motion for the Board to sign the code enforcement abatement with NW Land Services for \$8400 for property located at 15580 Cantrice Lane, tax number R23266026. The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 10:42 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT FOR PUBLIC DEFENDER CONFLICT COUNSEL WITH NIELSON LAW, PLLC

The Board met today at 10:47 a.m. to consider signing an independent contractor agreement for public defender conflict counsel with Nielson Law, PLLC. Present were: Commissioners Leslie Van Beek and Brad Holton, Director of Constituent Services Rick Hogaboam, COO Greg Rast and Deputy Clerk Jenen Ross. On behalf of Chief Public Defender Aaron Bazzoli, Mr. Rast said this a boiler plate agreement for conflict counsel with Nielson Law, PLLC. Mr. Bazzoli has worked with them before and feels comfortable with this contract. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the independent contractor agreement for public defender conflict counsel with Nielson Law, PLLC. Due to this contract likely going over \$10,000 this year, Mr. Bazzoli and/or Mr. Rast will work with the Prosecutor's Office for a personal services contract notice to be signed at a later time.

The meeting concluded at 10:50 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER A RESOLUTION ADOPTING CHANGES TO THE TITLE, SALARY RANGE AND JOB DESCRIPTION OF ELEVEN (11) POSITIONS IN THE DEVELOPMENT SERVICES DEPARTMENT

The Board met today at 1:45 p.m. to consider a resolution adopting changes to the title, salary range, and job description of eleven (11) positions in the Development Services Department. Present were: Commissioners Brad Holton and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, COO Greg Rast, HR Director Kate Rice, HR Business Partner Jennifer Allen, HR Compensation/Benefits Manager Bosco Baldwin, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks arrived at 1:53 p.m. COO Rast said this has been a reorganization project, and an exec session was held on November 15, 2023 where they talked about names, salaries, issues around organization, change in management, and the proposed org. chart, and today's meeting is the fruits of that labor in documentation form. If approved, there will be 4 employee status change forms and 11 position changes via resolution. There is a projected savings of \$183,000 in benefits and salaries. He said Director Minshall knew the reorganization was coming and there are two positions she purposely did not fund in FY2024 that way she could do a market analysis and use the savings that she didn't budget going forward and put it back in the organization. Also, a mechanical inspector position was budgeted for but it may not be filled. There is \$124,640 in additional funds to put in the organization around planning, creating an assistant director position, and keeping the compression ratios in check. There are some changes in the building official and code enforcement divisions as noted in the packet attached to this day's minute entry. Financially it's doable and he doesn't believe there will need to be any budget transfers to cover the expenditure. The market data has been justified by Director Minshall and the HR Department. Commissioner Van Beek had follow-up questions. It

will have to be budgeted for FY2025; the FY2024 budget will consume all of it with the salary savings and the unfilled positions. Director Minshall spoke about the organization and the benefit of making the changes. The first part is to align more closely with industry standards and wages and to make sure the County is recruiting and retaining team members. This is not an overall adjustment, it's in the planning and engineering departments where the region and state are struggling with not having enough supply of these positions and makes it where DSD cannot provide the needed services. It supports and provides the leadership to five (5) diverse work units within the department: planning, engineering, GIS, building, and code enforcement. It was part of the rationale with needing an assistant director and changing it up between the planning manager and assistant planning manager. In her memo to the Board, Director Minshall states the changes are proposed to:

1. Align more closely with industry standards and wages to enable the County to recruit/retain team members in *targeted* high demand/low supply positions throughout the region.
2. Support and provide leadership to the five diverse work units within the Development Services Department (Planning, GIS, Engineering, Building, and Code Enforcement.)
3. Differentiate the job duties and department structure, while aligning positions appropriately to meet the expectations and timelines for *high priority deliverables that directly impact the public*, including development review, application/permit processing, and long range, proactive planning work including comprehensive planning and ordinance updates.
4. Repurpose available positions and budget within the Department to highest workloads.

To minimize budgetary impact, they are proposing to utilize salary savings by not filling PCN 759 (Mechanical Inspector) in the Building Division that was approved in the FY24 budget. In addition, in comparison to FY23, the FY24 budget was approved with an overall reduction of 2 PCNs for the Department, as preparatory step to align staffing to areas of current and anticipated priority work, while recognizing revenue trends. Budget projections for the remainder of FY24 were completed, and it is anticipated all of the changes requested through this action and subsequent blue sheets can be accomplished within the approved FY24 Development Services approved budget.

<u>PCN</u>	<u>Current Title</u>	<u>New Title/Job Description</u>	<u>Salary Grade</u>	<u>Budget Impact</u>
600	Development Services Director	N/A	17 to 18	\$ 7,862.00
077	Planning Manager	Assistant Director DSD	16 to 17	\$12,802.00
765	Assistant Planning Manager	Planning Supervisor	15 to 16	\$16,861.00
752	Principal Planner	N/A	14 to 15	\$13,648.00
601	Principal Planner	N/A	14 to 15	\$12,165.00
829	Principal Planner	N/A	14 to 15	\$ 2,760.00
567	Associate Planner	Principal Planner	13 to 15	\$ 5,637.00
894	Associate Planner	N/A	13 to 14	\$ 9,879.00
798	Associate Planner	N/A	13 to 14	\$ 9,360.00
756	Engineer	Engineering Supervisor	N/A	N/A
631	Associate Engineer	N/A	14 to 15	\$11,894.00

Commissioner Van Beek said DSD is in critical need of an assistant director and having the position would model what is being done in other departments. Commissioner Holton said DSD worked with HR and we have current market value for all of the positions and it is within the budget, and so for any other departments who want to do something like this the challenge will be to not change their overall budget so they should start talking to HR to see what they can or cannot do. Commissioner Van Beek agrees. Commissioner Brooks said he supports the personnel changes. HR Business Partner Jennifer Allen said HR reviewed the job descriptions and the salary information that was presented. Director Minshall said they tried to do this quickly because she has some pending candidates that would need these types of changes to be able to hire them, so the urgency and the responsiveness across the teams has been great. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the resolution adopting changes to the title, salary, salary range, and job descriptions of eleven (11) positions in the Development Services Department as presented by the Director and the Chief on the reorganization and with those salary impacts and the job descriptions that are attached. (See Resolution No. 23-251.) The meeting concluded at 2:06 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 29, 2023

The Commissioners attended the Associated Taxpayers of Idaho 77th Annual Conference today. The conference was held at The Boise Centre, West 9th and Front in Boise.

NOVEMBER 2023 TERM

CALDWELL, IDAHO NOVEMBER 30, 2023

APPROVED DECEMBER 1, 2023 PAYROLL

The Board approved the December 1, 2023 payroll in the amount of \$2,270,223.54

APPROVED CLAIMS

- The Board has approved claims 600736 to 600787 in the amount of \$42,959.64
- The Board has approved claims 600788 to 600838 in the amount of \$232,378.43
- The Board has approved claims 600839 to 600849 in the amount of \$11,770.00

FILE TREASURER'S MONTHLY REPORT FOR OCTOBER 2023

The Board filed the Treasurer's monthly report for October 1, 2023 to October 31, 2023.

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 Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, COO Greg Rast, Director of Constituent Services Rick Hogaboam (left at 9:33 a.m.), Chief Doug Hart (left at 9:32 a.m.), Cpt. Martin Flores (left at 9:32 a.m.), Cherry Kelly (left at 9:32 a.m.), Controller Zach Wagoner, JoDee Arnold (left at 9:33 a.m.) and Deputy Clerk Jenen Ross.

Consider Federal Annual Certification Report and Annual Equitable Sharing Agreement: Lt. Flores explained this is the annual federal report that is required on how funds were used. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the Federal Annual Certification Report and Annual Equitable Sharing Agreement (agreement no.23-163).

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 Brooks made a motion to go into Executive Session at 9:33 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 Holton. Commissioner Holton took a roll call vote where he along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Clerk Chris Yamamoto, Treasurer Tracie Lloyd, Controller Zach Wagoner, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley and COO Greg Rast. The Executive Session concluded at 9:59 a.m. with no decision being called for in open session.

The meeting concluded at 10:00 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION TO ADOPT CHANGES TO THE JOB TITLE, JOB DESCRIPTION AND SALARY GRADE/RANGE OF THREE (3) POSITIONS IN THE TRIAL COURT ADMINISTRATION DEPARTMENT

The Board met today at 10:31 a.m. to consider a resolution to adopt changes to the job title, job description and salary grade/range of three (3) positions in the Trial Court Administration department. Present were: Commissioners Brad Holton and Zach Brooks, Family Court Services Manager Chris Paulsen, HR Director Kate Rice, HR Business Partner Demi Etheridge, COO Greg Rast, DUI Court Coordinator Erin Bullard and Deputy Clerk Jenen Ross. Mr. Paulsen explained this resolution is just to change titles and job descriptions of three positions to more accurately reflect the duties being done by the individuals in those positions. There are no budget impacts with this resolution. Upon the motion of Commissioner Brooks and second by Commissioner Holton the

Board voted unanimously to sign the resolution to adopt changes to the job title, job description and salary grade/range of three (3) positions in the Trial Court Administration department (resolution no. 23-252).

The meeting concluded at 10:35 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER CASUALTY LOSS APPLICATION FOR JING LIANG

The Board met today at 11:00 a.m. to consider a casualty loss application for Jing Liang. 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 this is for a fire loss on August 3, 2023 which is after Board of Equalization so it now comes before the Board as a casualty loss application for tax cancellation. The total amount of taxes to be cancelled is \$645.95 and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the casualty loss application for Jing Liang.

Commissioner Holton moved to adjourn the meeting.

The meeting concluded at 11:03 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH THE CHIEF OPERATING OFFICER AND DIRECTOR OF CONSTITUENT SERVICES REGARDING IMPACT FEES, GENERAL DISCUSSION AND DIRECTION

The Board met today at 4:03 p.m. for a meeting with the Chief Operating Officer and Director of Constituent Services regarding impact fees, general discussion, and direction. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Director of Constituent Services Rick Hogaboam, Ambulance District Director Michael Stowell, and Deputy Clerk Monica Reeves. Director Hogaboam gave an update on the following topics:

- Notified the nine members on the impact fee committee there would solicitation for applications, and those who want, and are qualified, to continue serving are encouraged to do so. There have been several inquiries from the public but no applications have been received yet.
- He has had communication with Attorney Bill Gigray who is legal counsel for the entities who have an intergovernmental agreement with the County, and he advised that the Homedale and Parma rural fire districts wish to be part of an intergovernmental agreement. There are also updated CIP's (Capital Improvements Plans) for Middleton, Marsing, Kuna and Star rural fire districts as well as Canyon Highway District. The districts will follow the required process and public hearings will need to be held for each

jurisdiction. There are several things that need to be done and the goal is to coordinate and consolidate a lot of the items to have all of the CIP fees and for the Board to consider them in total.

- Efforts of the ambulance district in seeking impact fees. The Board, acting as the Ambulance District Board of Commissioners, would have to proceed with pursuing impact fees for them as their own district. If they were to engage TischlerBise, who is a fiscal, economic, and planning consulting firm that specializes in impact fees, the costs of those consulting fees get charged as a surcharge in the impact fee itself. The statute requires a professional approve the CIP process. If we had a dual coordinated effort with TischlerBise to develop a CIP for the jail/Sheriff's Office to the ambulance district they would have to be two separate chargeable efforts captured in surcharges through those separate cost recoveries. Can combine efforts with cities so the city councils can adopt any potential increases to the impact fee collection for the ambulance district or the County in a dual effort.
- He recommends guidance to engage and solicit quotes and he offered to make calls to a couple firms and see what the course and scope of the work with the jail and Sheriff's Office in general and possibly the parks department and the Coroner's Office. The scope will dictate the cost and delivery. The Board directed Director Hogaboam to look into this. Impact fees have to be tied to a good faith CIP, and impact fees will only pay for a prorated share of the jail, they will not pay for a new jail.
- There was an interview with the Idaho Statesman, the Treasurer, and the Assessor a couple weeks ago, followed by a newspaper article ahead of the property tax notices going out. The credit the public received this year is volatile, it's not a fixed dollar amount that's guaranteed in perpetuity.
- The Idaho Press will interview DSD Director Sabrina Minshall next week regarding the reorganization of the department. The Board asked COO Rast to sit in on the interview.

COO Rast reported on the following topics:

- Director Hogaboam will interview two candidates for the communication specialist position; interviews will be held tomorrow and COO Rast will participate.
- Discuss the prioritization of scheduling six meetings.
 - The Board will hold a public hearing for citizens to comment on their elections experience.

- The Board will send a letter to the Black Canyon Irrigation District Board and provide them with the audio of the recent meeting with Todd Lakey, and invite board to a meeting regarding the concerns expressed. COO Rast will send the letter and extend the invitation for a meeting.
- A meeting will be scheduled in January with Treasurer Lloyd and Time Value Investments to talk about the local government investment pool.
- Meet with Senator Mike Moyle regarding legislative issues for discussion.
- A walkthrough of the Ada County Dispatch Center in Meridian will be scheduled for December 6, 2023 at 3:00 p.m.
- Meeting regarding original parcels and issues around ordinance updates. There have been discussions about inviting a few individuals who want to talk through some ordinance updates and some memos and share their concerns. Commissioner Van Beek is in favor of the meeting and said it's embarrassing we cannot get an interpretation on an original parcel. Commissioner Brooks said there is more to this than originally thought and he is in favor of meeting with the subject matter experts and our attorney and DSD Director and have an open workshop. Commissioner Van Beek asked if Commissioner Holton knows of anyone who has expertise in land use interpretation that could be invited to the meeting. Commissioner Holton will think about it, and he said we will have DSD and others in the room whose income is solely based off of this so both parties in the room have a dog in the fight. He cannot think of a truly neutral party but he'll ponder it and if he thinks of someone in the business who is neutral he can invite them to attend the meeting. Ada County's chief land use attorney could potentially be invited to the meeting. Commissioner Holton said he is uncomfortable with what happened in December where it was changed from one division to four and he wants to review that because none of the surrounding counties contemplate four, they're all one. A workshop on the original parcel issue will be scheduled.
- Increase purchase order threshold from \$1,000 to \$5,000. A lot of the directors and elected officials want to increase the threshold to \$5,000 for purchases that require the Board's approval before an expenditure is made. Commissioner Van Beek said the only way she would consider the increase is if the Board has direct input and say-so on the approval of the expenditures; she's been reluctant to do it in the past because of asset management, tagging and disposal - it has been abused and the process has been circumvented. It's at \$1,000 because of a lack PO and purchasing policy. COO Rast said in the end the Board ultimately approves all

expenditures, and he is working on a policy and procedure procurement that this will fit. The Board supports the threshold increase and said if it is abused, they will take it back to the \$1,000 threshold. COO Rast will talk to the Controller tomorrow and a resolution will follow next week.

The meeting concluded at 5:00 p.m. An audio recording is on file in the Commissioners' Office.

There were no Board of Equalization matters that came before the Board this month.

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 1, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$18,000 for the Fleet Department (PO #5771)
- Midwest Appliance Parts in the amount of \$1,752.88 for the Facilities Departments (PO #5914)
- ACS Systems in the amount of \$7,856.00 for the Facilities Department (PO #5915)
- Delta in the amount of \$2,721.00 for the Facilities Department (PO #5916)

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 4, 2023

APPROVED CLAIMS

- The Board has approved claims 600851 to 600886 in the amount of \$78,832.49
- The Board has approved claim 600850 ADV in the amount of \$15,638.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- AVI Systems in the amount of \$4432.04 for the Information Technology department (PO #5903)
- CMS in the amount of \$6000.00 for the Information Technology department (PO #5902)
- Bob Barker in the amount of \$8337.20 for the Sheriff's Office (PO #5880)

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Grant's Grill to be used 12/9/23.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Tracy Stoff, Deputy Prosecuting Attorney II – Criminal
- Kendal Landfair, Deputy Prosecuting Attorney I – Criminal

MEETING WITH IDAHO TRANSPORTATION DEPARTMENT REGARDING I-84 PROJECTS

The Board met today with the Idaho Transportation Department regarding I-84 projects. Present were: Commissioners Leslie Van Beek and Zach Brooks, DSD Director Sabrina Minshall, Director of Constituent Services Rick Hogaboam, COO Greg Rast, Mark Campbell with ITD, Bianca Stevenson and Kelly Mackenzie with RBCI (subcontractor with ITD), Brian Foote with Horrocks Engineering, and Deputy Clerk Monica Reeves. Brian Foote reviewed the maps and plans with the Board.

ITD is working on a study to evaluate future needs and potential improvements on Interstate 84 between State Highway 44 (Exit 25) and Centennial Way (Exit 27) interchanges. The purpose of the study is to identify improvements to meet safety, mobility and capacity. This study is part of ITD's ongoing efforts to improve I-84 in Canyon County. The study will look at several improvements including:

- Adding capacity with more lanes on I-84
- Reviewing ramps for geometric standards
- Replacing critical/aging infrastructure

The project began in early 2023 and is expected to last for two years and includes:

- Completing a traffic and safety study
- Completing an environmental evaluation
- Meeting with stakeholders and gathering input
- Prioritizing needed improvements

Centennial Way to Franklin Road - Construction for this multi-year project, from late 2023 to 2027, includes:

- Widening I-84 between Centennial Way and Franklin Road Interchanges
- Replacing the 10th Avenue Interchange
- Adding a traffic signal at the Centennial Way Interchange westbound off-ramp.
- Rehabilitating the pedestrian overpass
- Adding a sound wall along Hannibal Street from 10th Avenue to Centennial Way

There was a roundtable discussion regarding: improvement plans for the Middleton area; traffic models; right-of-way and potential impact zones; the importance of being aware of the County's infrastructure (fiber optic and conduits for connectivity) along the pathway and how it needs to

be identified when they do the ramp work; impact area overlays and the importance of receiving comments from ITD when developments are proposed, and to have coordination and be in tune to the entire corridor. An open house will be held in January and updates and text messages will be sent to keep the public informed. The meeting concluded at 1:44 p.m. No Board action was required or taken as the meeting was held for informational purposes only. An audio recording is on file in the Commissioners' Office.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Tikker Engineering in the amount of \$8,455.00 for the Facilities Department (PO #5917)
- Intermountain Wood in the amount of \$8,450.00 for the Facilities Department (PO #5918)
- Hart Intercivic in the amount of \$46,614.00 for the Elections Office (PO #5872)

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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Clerk Chris Yamamoto, Controller Zach Wagoner, Director of Juvenile Detention Sean Brown (left at 9:33 a.m.), Assistant Public Defender Scott James (left at 9:34 a.m.), Cpt. Harold Patchett (left at 9:42 a.m.), Director of Constituent Services Rick Hogaboam, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Juvenile Detention Housing Agreement with Valley County: This is the standard agreement. The only change for the previous year is the increase of the daily rate from \$210 to \$220. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the juvenile detention housing agreement with Valley County (agreement no. 23-164).

Consider Legal Notice of Entering into Personal Services Agreement with Jeffrey Nielson of Nielson Law, PLLC: Due to the likelihood this contract will exceed \$10,000 public notice is required. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice of entering into personal services agreement with Jeffrey Nielson of Nielson Law, PLLC.

Consider Notice to All Detainment Solutions to Extend Lease Term for a Fourth Extended Term: Mr. Ericson explained this is an extension of the original lease agreement for the temporary detention facility known as pod 6; this is the last of the 4 extensions. Discussion ensued regarding the need for an additional meeting to discuss the future of the pod 6 facility; general consensus is that there is a need for a future meeting but that it doesn't impact the signing of this extension today. Commissioner Van Beek made a motion to sign the All Detainment Solutions extension as enumerated under section 4(c) of the temporary detention facility equipment lease agreement dated August 28th 2018, and that will also give time for the new commissioners to look at that agreement and what was involved in that and get some background on that. The motion was

seconded by Commissioner Brooks and carried unanimously. A copy of the notice is on file with this day's minutes.

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 9:42 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Clerk Chris Yamamoto, Controller Zach Wagoner, Director of Constituent Services Rick Hogaboam and COO Greg Rast. The Executive Session concluded at 10:10 a.m. with no decision being called for in open session.

Following the executive session, Mr. Ericson let the Board know that the notice for the overnight parking/camping ordinance has been agendized for Thursday; additionally, legal will address the e-signature policy at Thursday's legal staff update.

The meeting concluded at 10:11 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH NORM BROWN, CANYON COUNTY MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES

The Board met today at 10:31 a.m. with Norm Brown to consider reappointment to the Canyon county Mosquito Abatement District Board of Trustees. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast, Norm Brown with Canyon County Mosquito Abatement District and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider reappointment to the Canyon County Mosquito Abatement District Board of Trustees: Mr. Brown said he's enjoyed serving on the Board for many years. He has a background in banking which he believes will assist with the budget. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to reappoint Norm Brown to the Canyon County Mosquito Abatement District Board of Trustees (resolution no. 23-253)

The meeting concluded at 10:38 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR NORTH FORK RANCH NO. 2, CASE NO. SD2022-0022

The Board met today at 10:45 a.m. to consider a final plat for North Fork Ranch No. 2, case no. SD2022-0022. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Engineering Coordinator Stephanie Hailey, Penelope Constantikes with Riley Planning, Scott Godfrey, COO Greg Rast and Deputy Clerk Jenen Ross. Stephanie Hailey gave the staff report stating that the development is zoned CR-RR rural residential with an average residential lot size of 2.9 acres. There are 7 residential lots, one private road lot, surface irrigation and individual well and septic. The preliminary plat for North Fork Ranch Subdivision No. 2 was approved by the Board of County Commissioners on November 17, 2016 subject to 14 conditions of approval. County engineering reviewed and approved the final plat and construction drawings, participated in a post construction site visit and compiled evidence for condition compliance; a county surveyor reviewed and signed the final plat. The final plat is in compliance with CCZO 7-17-13 and staff recommends that Board of County Commissioners sign the final plat for North Fork Ranch No. 2. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve and sign the final plat for North Fork Ranch No. 2, case no. SD2022-0022.

The meeting concluded at 10:49 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH DIRECTOR OF JUVENILE PROBATION TO CONSIDER ACTION ITEMS

The Board met today at 11:27 a.m. with the Director of Juvenile Probation to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Director of Juvenile Probation Elda Catalano, Assistant Director of Juvenile Probation Jose Orozco, Controller Zach Wagoner (left at 11:18 a.m.), COO Greg Rast, HR Director Kate Rice, Wage and Compensation Analyst Bosco Baldwin, HR Business Partner Jennifer Allen, Assistant IT Director Eric Jensen (joined at 11:22 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Idaho Department of Juvenile Corrections Juvenile Justice Annual Financial Report: Director Catalano explained this is an annual report submitted to the Department of Juvenile Corrections which is prepared by the Auditor's office. Controller Wagoner said that the state provides funding to the county for juvenile justice functions and this report shows that every penny that the state provides was spent in FY2023 on juvenile justice functions. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Idaho Department of Juvenile Corrections Juvenile Justice Annual Financial Report. A copy of the report is on file with this day's minutes.

Consider Professional Services Agreement and Statement of Work with Case Management Systems (CMS): Director Catalano said that CMS is used as their offender database management system. Recently there have been some updates so Mr. Rast requested that there be an updated agreement. The agreement is consistent with what has been budgeted and what is expected of the program. Mr. Wesley said there are no changes to the terms of service, billing or liability. There is a master agreement which includes the terms and then each year there is a statement of work

to be signed. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the professional services agreement and statement of work with Case Management Systems (CMS). See agreements 23-165 and 23-166.

Consider resolution to approve the job title, job description and salary range of one (1) position in Juvenile Probation: Mr. Rast said this is a new position that was approved in the FY24 budget. Director Catalano provided a history and background of the position. She said this will be an important position within her department and she feels it will change how they operate and work with others in the juvenile justice system. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution to approve the job title, job description and salary of one (1) position in Juvenile Probation (resolution no. 23-254).

The meeting concluded at 11:27 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – PRELIMINARY PLAT FOR DTH SUBDIVISION, CASE NO. SD2018-0013

The Board met today at 1:37 p.m. to conduct a public hearing in the matter of a request by Patricia Dodson for approval of a preliminary plat for DTH Subdivision, Case No. SD2018-0013. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner III Michelle Barron, DSD Director Sabrina Minshall, Tom Hood, Derritt Kerner, Philip Hanson, Cheryl Miller, and Deputy Clerk Monica Reeves. There were no declarations or disclosures made by the Board.

DSD Planner III Michelle Barron gave the oral staff report. The applicant, Derritt Kerner, representing Tom Hood and Patricia Dodson, is requesting approval of a seven-lot subdivision in a single-family residential zone. Access will be via the extension of North 63rd Street which is a public road. The property consists of 8.58 acres. The applicant is requesting approval of the City of Nampa's subdivision requirements of curb, gutter, sidewalks, streetlights, and landscaping. The City of Nampa has approved a deferral of their requirements until such time the parcel is annexed into the city and improvements are requested. The P&Z Commission has recommended approval of the preliminary plat with nine conditions. The subject property, Parcel No. R30461 is located on the east side of Robinson Rd., approximately 693 ft. north of the intersection of Orchard Ave. and Robinson Road and is located within the Nampa Impact Area. The zoning designation was approved on June 1, 2016. They originally applied for Robinson Road Subdivision which was considered a short plat in April of 2018, but the project was put on hold to work with the City of Nampa following the purchase of a parcel for the future extension of Stamm Lane. It was determined they had to have a preliminary plat and final plat which is why they are here today. The applicant requested a waiver of subdivision improvements in 2020; the city granted a deferral. The applicant did not ask for a waiver from the County because they were fine with the deferral language. The development will not connect to city utilities, and the City of Nampa is not requiring a pre-annexation agreement. Planner Barron reviewed the conditions of approval that were proposed in the draft FCO's. Staff recommends adding the following comment based on the letter from the Nampa Fire District: *The plat shall comply with the requirements of Nampa Fire District*

in accordance with the International Fire Code. Commissioner Van Beek had questions regarding the proposed condition regarding Nampa Fire District and asked for clarification on what the expectation is. She does not want the Board to have to figure out how to enforce that when it's not listed in the conditions of approval. Director Minshall said she recommended the additional condition and she intentionally worded it this way for discussion. It's up to the fire district to determine what that looks like and their letter gives those options. By adding the language, she felt like we don't have to be specific, but if they have issues they will work it out with the fire district. Commissioner Van Beek said it seems too loose. Commissioner Holton said by declaring it as a condition they are put on notice that it has to conform to the requirements of the international fire code. The Board will further discuss this issue in its deliberation.

The following people testified in support of the request:

Tom Hood testified on behalf of the property owner. He agrees with the staff report and has no qualms with any of the conditions, including the condition to meet the International Fire Code.

Derritt Kerner, the project engineer, testified about the gravity irrigation update. A neighbor to the north voiced a concern about restoring water that used to come their way. There was a network of old dilapidated ditches on the site that reached various points and the neighbor wanted it delivered to the high point and the developer has agreed to do that. They diverted gravity irrigation flow through the subject property to the historic delivery point of the neighbor, and the updated irrigation plan includes that change. He spoke about the applicant requesting a waiver that ended up being a deferral by the City of Nampa. The city wanted 80 feet for Stamm Lane and that was purchased by the city and so that piece is no longer a part of the project site. Even with that removed they were still able to make 7 one-acre lots to comply with the density requirement. The city has not required a pre-annexation agreement. Commissioner Van Beek had follow-up questions for the project representatives.

The following people offered neutral testimony:

Philip Hanson testified about irrigation concerns and he wants assurances that future improvements are not going to restrict his availability of irrigation water. If the city constructs the road it will cause a problem with gravity flow and they will have to install a lift station. Commissioner Holton said Mr. Hanson's concern should be covered by Condition No. 2 in the FCO's addresses the irrigation.

Cheryl Miller gave testimony regarding her concerns about the delivery of irrigation water and the impact seven additional wells will have on the water table.

Rebuttal testimony was offered by Tom Hood. As part of this project they had to get a level one nutrient pathogen study which requires they look at all the wells surrounding the property and through that research he learned that the wells of the nearby Star Crest Subdivision are old and shallow and there are multiple aquifers in there and he fully expects the wells that are drilled for the proposed subdivision will be deeper and will get into the deep aquifer that has plenty of water.

He said the standards of the Idaho Department of Water Resources will be met. He said the issue with the irrigation pipe is upstream of the subject property. In terms of water delivery to the box at the corner, there is plenty of water coming there; in fact, they had issues with water going the wrong way because the historic channels were overgrown and being diverted and it was causing problems for downstream owners that were getting too much water. This summer he hired a contractor to restore the historic channel and get the water diverted back to North 62nd where it belongs. With the construction of the new pressurized irrigation system that will further clean up the water delivery issue to the Star Crest Subdivision.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. There was discussion about staff's proposed language for Condition No. 10 regarding complying with the requirements of the International Fire Code. Commissioners Van Beek and Brooks do not agree with adding the condition because it may allow a local fire district to impose more stringent requirements than the International Fire Code. Commissioner Holton supports the condition. Following discussion, Director Minshall proposed the following language for Condition No. 10: *The plat shall comply with the International Fire Code as administrated through Nampa Fire District.* The Board supports the modified language. The Board agrees with staff's 11 findings, accepts the conclusions of law outlined in the proposed FCO's, and supports the 9 conditions and the modified language to Condition No. 10. Commissioner Brooks believes the water delivery system will be improved because of this development. Commissioner Van Beek said there are people it may not improve for but that is outside the scope of what the Board can do. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the preliminary plat for DTH Subdivision with deferral of subdivision improvements as presented, and to approve the conditions of approval as enumerated herein and to include Condition No. 10. A copy of the signed FCO's are on file with this day's minute entry. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The hearing concluded at 2:52 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 6, 2023

APPROVED CLAIMS

- The Board has approved claims 600887 to 600909 in the amount of \$10,958.00
- The Board has approved claims 600910 to 600956 in the amount of \$524,750.99
- The Board has approved claims 601076-601121 in the amount of \$80,871.90
- The Board has approved claim 601122 in the amount of \$6,934.41
- The Board has approved claims 600957 to 600992 in the amount of \$42,481.58
- The Board has approved claims 601033 to 601075 in the amount of \$61,180.86

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- MHS in the amount of \$1038.64 for the Misdemeanor Probation department (PO #5935)
- Avaya, Inc. in the amount of \$67,155.48 for the Information Technology department (PO #5905)
- Dell in the amount of \$3271.70 for the Information Technology department (PO #5904)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Sabrina Minshall, salary increase due to department reorganization
- Madelyn Vander Veen, salary increase due to department reorganization
- Emily Kiester, salary increase due to department reorganization
- Daniel Lister, salary increase due to department reorganization
- Michelle Barron, salary increase due to department reorganization
- Tom Crosby, salary increase due to department reorganization
- Scott Hillman, salary increase due to department reorganization
- Nicholas Sampson, salary increase due to department reorganization
- Hether Hill, Principal Planner (new hire)
- Jay Gibbons, Assistant Director of Development Services (new hire)
- Carl Anderson, Planning Supervisor (new hire)
- Eric Arthur, salary increase due to department reorganization
- Debra Root, salary increase due to department reorganization
- Matthew Espey, Building Inspector (new hire)
- Lily Brown, promotion to full-time

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 9:33 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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, Director of Facilities Rick Britton, Director of Constituent Services Rick Hogaboam and COO Greg Rast. The Executive Session concluded at 9:51 a.m. with no decision being called for in open session.

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

As properly noticed, the Board met today at 11:10 a.m. with the Fair Director. A request to go into executive session was made 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 11:11 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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, Fair Director Diana Sinner, Deputy P.A. Laura Keys, Director of Constituent Services Rick Hogaboam and COO Greg Rast.

The Executive Session concluded at 11:50 a.m. with no decision being called for in open session.

TOUR OF ADA COUNTY DISPATCH CENTER, 945 E. PINE AVE., MERIDIAN, IDAHO

A Board majority participated in a tour of the Ada County Dispatch Center located at 945 E. Pine Avenue in Meridian, Idaho. The tour was not a Commissioner meeting. There were no motions, action items, or Board direction entertained or given.

DECEMBER 2023 TERM
CALDWELL, IDAHO DECEMBER 7, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

- QED Environmental Systems in the amount of \$17,250.10 for the Solid Waste department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Brenda Lawrence, title change to Treatment Court Coordinator
- Erin Bullard, title change to Treatment Court Coordinator
- Sue Hill, title change to Treatment Court Coordinator
- Stacey Lenz, Sr. Weed & Gopher Applicator

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 9:19 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Managers Kellie George and Jenniffer Odom and Deputy Clerk Jenen.

Case nos. 2006-317 and 2008-592: Both of these cases have been paid in-full and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the lien releases.

Case no. 2024-2: Canyon County residency has been established for this decedent and they meet the eligibility criteria for county assistance. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the case.

Case no. 2024-3: The decedent meets the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the case.

Case no. 2024-4: The decedent passed in Ada County but is a Canyon County resident, so the Ada County Coroner has requested that the Canyon County Treasurer open a public administration case. The Indigent Services office has identified the decedent appeared to own a vehicle, lived in an apartment, had assets in excess of \$1000 and is not eligible county assistance. The Treasurer has requested direction from the Board as to whether a public administration case should be opened. Commissioner Van Beek feels that since a policy has been established indicating that case should be opened that is the process that should be followed. Following further discussion regarding care of the body and establishment of assets, Commissioner Van Beek made a motion to deny the request for payment and engage the Treasurer's Office to open a public administration case. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 9:33 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:38 a.m. with county attorneys for a legal staff update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Chief Deputy Sheriff Doug Hart (left at 9:49 a.m.), Cpt. Ray Talbot (left at 9:49 a.m.), Cpt. Harold Patchett (left at 9:49 a.m.), Lt. Doug Gately (left at 9:45 a.m.), Lt. Travis Engle (left at 9:49 a.m.), Director of Juvenile Detention Sean Brown (left at 9:49 a.m.), Facilities Director Rick Britton, Recording Supervisor Emily Howell (left at 10:02 a.m.), Controller Zach Wagoner (left at 10:02 a.m.), COO Greg Rast, Director of Constituent Services Rick Hogaboam and Deputy Clerk Jenen Ross.

The action items were considered as follows:

Consider Resolution Increasing Fees for Sheriff Civil Unit Services (Public comment will be received):

Lt. Gateley explained that the fee formulation has been posted on the website and that fees need to be increased to cover costs as they have not been evaluated since 2017. No members of the public appeared to offer comment nor have any comments been received by mail, email or phone. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution increasing fees for Sheriff Civil Unit Services (resolution no. 23-255). A breakdown of the calculation of fees is included with the resolution.

Consider Southwest Idaho Juvenile Detention Center's Food Services Agreement with Summit Food Services:

Director Brown explained that due to federal guidelines there are certain parameters that need to be met in order to receive funding from the state and once this contract is signed he will look into getting reimbursement for October and November.

Consider Canyon County Jail's Food Services Agreement with Summit Food Services: Cpt. Patchett said there are much needed changes that will be accomplished with this contract.

Commissioner Brooks made a motion to sign the Southwest Idaho Juvenile Detention Center's Food Services Agreement with Summit Food Services (agreement no. 23-169) and the Canyon County Jail's Food Services Agreement with Summit Food Services (agreement no. 23-170). The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider Contract with Hummel Architects for Architect/Engineering Services for the Canyon County Sheriff's Office Building:

Director Britton said that with the help of legal and the Sheriff's Office the proper architect/engineering has been selected. This facility will be greatly beneficial to CCSO and the public. Director Britton and Chief Hart spoke about the great experience they've had so far with Hummel. Chief Hart also said that there seems to be good communication already between the architect and the building contractor. At the request of Commissioner Van Beek, Mr. Klaas spoke about the contract stating that it is pretty straightforward. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Contract with Hummel Architects for Architect/Engineering Services for the Canyon County Sheriff's Office Building (agreement no. 23-168).

Consider Delivery Agent Agreement for Electronic Recording Services with HopDox, LLC: Ms. Howell explained this is a new vendor for e-recording which allows the public to securely submit documents to the Recorder's office. It's a cloud service and Mr. Rast confirmed this is the right avenue. This will be a revenue generating service for the Recorder's office. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the delivery agent agreement for electronic recording services with HopDox, LLC (agreement no. 23-167).

Consider Ordinance No. 23-010 Adopting Chapter 4, Article 5, Parking and Camping Regulations on County Owned or Leased Property; and

Consider Summary of Ordinance No. 23-010 Adopting Chapter 4, Article 5, Parking and Camping Regulations on County Owned or Leased Property:

Mr. Ericson explained this has been talked about and reviewed several times, there have not been any changes since the last review. This ordinance will provide some structure as to what will be allowed in county parking lots. No overnight parking (with the exception of employees) or camping will be allowed, and signs will need to be installed notifying the public of this. Once the summary of the ordinance is published in the Idaho Press the ordinance will be in effect. Commissioner Brooks made a motion to sign Ordinance No. 23-010 Adopting Chapter 4, Article 5, Parking and Camping Regulations on County Owned or Leased Property and the Summary of Ordinance No. 23-010 Adopting Chapter 4, Article 5, Parking and Camping Regulations on County Owned or Leased Property. The motion was seconded by Commissioner Van Beek and carried unanimously. Communication will be sent to employees prior to publication.

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 10:08 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. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Facilities Director Rick Britton, COO Greg Rast and Director of Constituent Services Rick Hogaboam. The Executive Session concluded at 10:59 a.m. with no decision being called for in open session.

The meeting concluded at 10:59 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH CANYON HIGHWAY DISTRICT NO. 4

The Board met today at 11:09 a.m. for a meeting with representatives from Canyon Highway District No. 4. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chris Hopper and Bruce Bayne from Canyon Highway District No. 4, DSD Planner III Michelle Barron, Constituent Services Director Rick Hogaboam, Steve Burton, and Deputy Clerk Monica Reeves. Director Bayne and Mr. Hopper requested today's meeting so they could finish their presentation from October 5. They reviewed a map showing all four highway districts in Canyon County, noting that the CHD4 has the most development in their area compared to the others. There was a review of impact fees and an overview of transportation concerns related to development projects. Mr. Hopper reported on the following topics through a PowerPoint presentation:

New Development

New development is still concentrated in the Mid-Star area north of the Boise River, and within city limits. There are some new developments on the south side of Caldwell, by Lake Lowell.

Impact Fees

CHD4 formed a partnership with Middleton and Star, and Canyon County and developed a joint capital improvement plan called the Mid-Star Capital Improvement Plan (CIP). Where they were seeing the predominant amount of new development and growth, and it's also an isolated area for the study of traffic impacts.

- Mid-Star Service Area
- Mid-Star Existing Deficiencies
- Mid-Star CIP Projects
- Mid-Star Impact Fee Revenues
 - Two funds established for fee revenues:
 - MS-Canyon Trust Fund
Rural Canyon County Impact Fees. Eligible for use anywhere in Mid-Star Service Area
 - MS-Star Trust Fund
City of Start within Canyon County Impact Fees. Eligible for use in Mid-Star Service Area and only within Star area of impact* (May also be used for projects outside of or on the boundary of Star area of impact if traffic from Star area affects those projects, and in proportion to those effects)
- Summary of FY2023 Impact Fees Report
- FY2024 Total Programmed Expenditures

There was discussion regarding projects in the Middleton area and how development needs to pay its way. The Board stressed the importance of having the highway districts provide quality input when the County asks for agency comments about traffic, traffic load, quality of intersections, and the implications of growth. There was also discussion about an upcoming PEL study for the Highway 44 corridor; a public meeting will be held on January 11 in Middleton. CHD4 is in discussions with ITD regarding the need for another interchange between the one north of Middleton and the one at Oasis Road. The district will also request a letter of support regarding the Highway 16 interchange.

Another meeting will be scheduled so that CHD4 can continue their presentation on the topic of "Transportation Specifics for Development". Copies of the PowerPoint presentation, along with the Mid-Star Service Area FY2023 Impact Fee Report, are on file with this day's minute entry. The meeting concluded at 11:55 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER NOTICE OF LIEN FOR 15580 CANTRICE LANE IN CALDWELL

The Board met today at 4:47 p.m. to consider a notice of lien for 15580 Cantrice Lane in Caldwell. Present were: Commissioners Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur and Deputy Clerk Jenen Ross. Mr. Arthur explained there was a change in the cost from \$8400 to \$9800 as the property was significantly worse than originally thought. He provided a review of the work done on the property and the amount of debris that was removed. A copy of the materials reviewed with the Board are on file with this day's minutes. They will be moving forward with the criminal portion of the violations as the vehicles cannot be removed since they are titled and considered real property. Commissioner Holton made a motion to approve the lien with the increased cost. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 4:57 p.m. and an audio recording is on file in the Commissioners' Office.

DECEMBER 2023 TERM
CALDWELL, IDAHO DECEMBER 8, 2023

No meetings were held this day.

DECEMBER 2023 TERM
CALDWELL, IDAHO DECEMBER 11, 2023

APPROVED CLAIMS

- The Board has approved claims 601124 to 601125 in the amount of \$298.00
- The Board has approved Jury - November 2023 in the amount of \$3,161.21
- The Board has approved claims 600993 to 601032 in the amount of \$84,708.50
- The Board has approved the special jury claim in the amount of \$2,491.96

DECEMBER 2023 TERM
CALDWELL, IDAHO DECEMBER 12, 2023

APPROVED CLAIMS

- The Board has approved the Election advance claim in the amount of \$3,135.67

APPROVED DECEMBER 15, 2023 PAYROLL

The Board approved the December 15, 2023 payroll in the amount of \$2,411,622.94

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Jacob Taylor, Deputy Sheriff – remove PTO pay
- David Puga, Deputy Sheriff – remove PTO pay
- Krystal Gonzalez, Deputy Sheriff – remove PTO pay
- Adam Plugg, Deputy Sheriff Courts and Transports – new hire
- Ashley Snively, Deputy Sheriff – transfer to Inmate Control from Courts and Transports
- Bryce Smith, Deputy Sheriff – transfer
- Mark Taylor, Deputy Sheriff – demotion and transfer
- Kimberly Sprenger – CCSO Pre-trial Customer Service Specialist – transfer from booking to courts and transports

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Southern Idaho Electric in the amount of \$18,925.00 for the Facilities department (PO #5921)
- Mountain Alarm in the amount of \$2,928.74 for the Facilities department (PO #5919)
- ACCO in the amount of \$22,632.00 for the Facilities department (PO #5920)

APPROVED MINUTES

The Board approved the minutes for the October 2023 term.

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, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas (left at 9:40 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Controller Zach Wagoner (left at 9:42 a.m.), COO Greg Rast, Director of Constituent Services Rick Hogaboam and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Signing Inmate Communications Service Agreement with Consolidated Telecom, Inc.: The Sheriff's Office has moved away from ViaPath and will now be using Consolidated Telecom, Inc. (CTEL) for phone, video and text message communication from the jail. Mr. Klaas addressed questions posed by Commissioner Van Beek regarding clauses in the contract, possible damage to equipment and cloud storage of video visitations. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the inmate communications service agreement with Consolidated Telecom, Inc. (agreement no. 23-171).

Consider resolution approving FY2023 budget transfers: Mr. Wagoner explained the goal is always to operate within the prepared budget but there are circumstances where county business needs

to move forward. FY2023 invoices have been processed and there is a need to make some transfers between the 'A' and 'B' budgets. Mr. Wagoner emphasized that there is no increase to budgetary authority or growth of the budget. At the request of Mr. Rast, Controller Wagoner spoke about the Spillman contract. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to adopt the resolution approving FY2023 budget transfers (resolution no. 23-256).

As part of the legal staff update, Ms. Keys provided a brief review of the draft e-signature policy. She anticipates that once a policy is approved, operating officers of the county can work with legal and IT to tailor it specific to their needs. Commissioner Holton made a motion to agendaize this item to Thursday at 10:00 a.m. The motion was seconded by Commissioner Van Beek and carried unanimously.

Mr. Hogaboam spoke about the possibility of engaging with TischlerBise for assistance with impact fees and what that scope of work might look like or entail. He has spoken with Mr. Wesley regarding the best way to go about this such as sole source procurement as a professional engagement which is a \$75,000 threshold or to go through the RFP process; the proposal letter from TischlerBise was about \$74,000. Mr. Wesley said that based on the scope of the contract he is not sure if this would fall under professional services, it may fall more under personal services which is a \$50,000 threshold. Mr. Rast and Mr. Wesley will have further discussion regarding thresholds for personal and professional services and what some of the exclusions may be. Mr. Hogaboam also noted that this was not a budgeted item so there may have to be contingency monies used in order to stay cost neutral. Mr. Wesley noted that in his conversation with Mr. Hogaboam he suggested that due to the cost and that there may be other vendors, the Board may want to use another procedure just to have a public process in place so that there is an opportunity for proposals if there are competitors. If this does fall under the exemption, it could be done by sole source as it is somewhat niche.

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

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 9:57 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d), (f) and (i) regarding acquisition of an interest in real property, records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, COO Greg Rast and Director of Constituent Services Rick Hogaboam. Mr. Wesley, Ms. Keys

and Ms. Klempel left at 10:20 a.m. The Executive Session concluded at 10:38 a.m. with no decision being called for in open session.

Consider resolution approving alcoholic beverage license for The Sick Stag, LLC dba The Sick Stag: Commissioner Brooks would like to hold on this item until later today and made a motion continue this action item to 2:45 p.m. today. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 10:40 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:41 a.m. with directors to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Facilities Rick Britton (left at 11:20 a.m.), Assistant Director of Facilities Carl Dille (left at 11:20 a.m.), Facilities Office Manager Becky Kearsley (left at 11:20 a.m.), Customer Service Specialist Jodi Edwards (left at 11:20 a.m.), Weed and Pest Superintendent Cory Flatt (left at 11:20 a.m.), HR Director Kate Rice (left at 11:55 a.m.), HR Generalist Jennifer Allen (left at 11:20 a.m.), Director of Constituent Services Rick Hogaboam, COO Greg Rast, IT Director Steve Higgins (arrived at 11:27 a.m.) and Deputy Clerk Jenen Ross.

Facilities

Director Britton gave a PowerPoint presentation which covered the following topics:

On-call pay and being compensated for carrying the phone during non-business hours. When employees are on-call they are prevented from partaking in certain activities and essentially prohibited from leaving the area as there is a one-hour response time. On-call time is from Friday afternoon thru the following Friday morning which calculates to approximately 123 hours. Currently, if an employee is called they are paid from the time they leave their house until they return. Mr. Rast spoke about how it is done in IT, stating that if the employee is going to be limited/regulated during their off-time they really should be compensated in order to comply with FLSA; this mostly affects non-exempt/hourly employees. He addressed the system they've been using in IT including the 2-tiers and the pay differentials. Mr. Rast said he feels this is really a step that needs to be taken both to come into compliance and to be fair to the employees. Based questions from Commissioner Van Beek, Mr. Rast said this was not contemplated or included in the budget and calculations indicate the fiscal impact would be approximately \$43,000 which would have to come from salary savings in FY24 and picked up in the budget for FY25. Director Britton feels there will be some savings in the 'A' budget as there were a couple positions that were open for a while but his department is now fully staffed. Director Rice said there is no requirement by law to pay for simple task of being on-call; the requirement comes from responding to a call while off-duty. She feels this would assist with employee morale and to have employees engage in the on-call program. It would also serve as a recruitment tool to maintain competitiveness with others in the community. The Board would like an additional meeting

dedicated specifically to this topic and Commissioner Van Beek would like additional information specific to pay for the trade employees.

Status updates were provided on current projects including the warehouse/animal shelter, elections building and Sheriff's building.

Projects currently with legal include new jail laundry equipment, pig pens at the fairgrounds, new elevator modernization equipment, courthouse fire sprinklers, Celebration Park pathway decking and HVAC equipment for Fleet shop.

Director Britton has been working with Pioneer Irrigation District to cover an irrigation ditch that runs behind the DMV to the new warehouse location. The irrigation district has offered to do the labor if the county purchases the pipe; the estimated cost is \$39,438 and may qualify for ARPA fund usage. Director Britton spoke to how beneficial this will be. The Board is supportive and a purchase order will be processed for approval.

A review was given of 2023 projects including Juvenile Detention exterior paint project, TCA/Marshals office space, TCA office remodel, TCA office attorney's office, Assessor office remodel, warehouse building, animal shelter and weed and gopher numbers. Director Britton would like to change some verbiage on the website to state 'charge per trip' vs. 'trip charge per job'. The Board okay with website verbiage being changed.

A copy of the PowerPoint presentation is on file with this day's minutes.

The Board adjourned the meeting from 11:20 a.m. to 11:27 a.m.

IT

Director Higgins spoke about his observations of the IT team along with his goals and objectives for 2024. He said that due to a variety of reasons there have been several tasks initiated but not yet completed – one of those is the Microsoft 365 deployment throughout the county. Another issue is the lack of reliability with the primary internet service provider, Lumen; there have been several conversations with them but IT is still in the process of discovery on the issue. He spoke very highly of the IT team and their competency but feels there is a lack of confidence which will be a cultural shift. He explained there needs to be enhanced communication relating to technology throughout the county and a prioritization of projects, currently there is no matrix in place to make that determination. Based on a question from Commissioner Van Beek, discussion ensued regarding ETS personnel in the Sheriff's Office. Further discussion was had regarding the internet service provider and some of the recent problems with reliability that have occurred; Mr. Rast provided a history of the providers the county has used and some of the issues that may surround changing providers. Mr. Higgins spoke briefly about the disaster recovery plan noting that the long-term goal is resiliency/redundancy.

Mr. Rast spoke about a project for Constituent Services to change-up the county website in order to "revamp" the image and building-in the new TRUST acronym. Mr. Higgins explained he will work

with Mr. Hogaboam on this project and clearly identify the needs prior to making this into a project.

Director Higgins asked about the MOA with the Sheriff's Office, he asked about supervisory authority of the ETS personnel and why that remains with the Sheriff's Office vs. Information Technology. He spoke about some of the issues he's identified with this delineation. Mr. Rast provided an explanation of why the MOA was created this way. Some of the biggest issues Mr. Higgins has identified is the knowledge level and disciplinary action of the three ETS employees. Mr. Higgins will take initial steps to work with the Sheriff's Office on this but based on Board direction will bring it back for assistance if need be.

The meeting concluded at 11:59 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER A RESOLUTION APPROVING CHANGES TO THE JOB TITLE, JOB DESCRIPTION AND SALARY RANGE OF ONE (1) POSITION IN THE SHERIFF'S OFFICE

The Board met today at 2:35 p.m. to consider a resolution approving changes to the job title, job description, and salary range of one position in the Sheriff's Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Deputy Sheriff Doug Hart, COO Greg Rast, HR Business Partner Cindy Lorta, HR Director Kate Rice, and Deputy Clerk Monica Reeves. Chief Hart said the criminal investigative division (CID) has historically had two sergeants, one over property crimes and the other over persons crimes but CID is not really large enough to have that kind of division. With two people of equal ranks it creates some contention from time to time so they are proposing to reclassify one of the sergeant positions to a corporal position and eliminate the division of property and persons crimes within CID. The salary range for a corporal is lower than that of a sergeant. There will be no salary change for the sergeant who remains in CID. Upon the motion of Commissioner Brooks and the seconded by Commissioner Van Beek, the Board voted unanimously to approve the resolution for the changes to the job title, job description, and salary range of one position in the Sheriff's Office as presented. (Resolution No. 23-257.) The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSE FOR THE SICK STAG, LLC DBA THE SICK STAG

The Board met today at 2:47 p.m. to consider a resolution approving an alcoholic beverage license for The Sick Stag, LLC, dba The Sick Stag. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, and Deputy Clerk Monica Reeves. There was discussion regarding a past incident the applicant had noted on the license application. Following discussion Commissioner Brooks made a motion to approve the resolution granting the alcoholic beverage license for The Sick Stag, LLC, doing business as The Sick Stag. The motion was seconded by Commissioner Holton. Commissioner Van Beek abstained. The motion carried unanimously.

(Resolution No. 23-258.) The meeting concluded at 2:50 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 13, 2023

APPROVED CLAIMS

- The Board has approved claim 601126 ADV in the amount of \$75,000.00
- The Board has approved claim 601142 ADV in the amount of \$1,070.47

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Ernestine Bob, SWIJDG part-time lunch kitchen help from WITCO
- Chad M. Thompson, Communications Specialist

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$1,928.68 for the Information Technology department (PO #5906)

PUBLIC HEARING: REQUEST BY DAVE & CAMI LARSEN AND TERRY RICHARDS FOR A DEVELOPMENT AGREEMENT MODIFICATION TO TERMINATE DEVELOPMENT AGREEMENT #22-031 AND REVERT THE ZONING FROM A "CR-R-1" (CONDITIONAL REZONE - SINGLE FAMILY RESIDENTIAL) ZONE TO AN "A" (AGRICULTURAL) ZONE

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Dave & Cami Larsen and Terry Richards for a development agreement modification to terminate Development Agreement #22-031 and revert the zoning from a "CR-R-1" (Conditional Rezone - Single Family Residential) zone to an "A" Agricultural zone, Case No. DA2023-0002. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Principal Planner Debbie Root, Planning Associate Emily Kiester, DSD Director Sabrina Minshall, Dave Larsen, and Deputy Clerk Monica Reeves. The Board had no disclosures or declarations to make. Commissioner Brooks made a motion to allow the Chairman to skip the reading of the hearing guidelines. Commissioner Van Beek seconded the motion given there is a majority of DSD staff present. The carried unanimously. Principal Planner Debbie Root gave the oral staff report. The properties were conditionally rezoned with Case Nos. RZ2021-0036 and CR2022-0009. Ordinance No. 22-010 was recorded and directed amendments to the Canyon County Zoning Map changing the zoning from

Agricultural to CR-Single Family Residential. The applicants filed their preliminary plat in accordance with the development agreement for Hidden Sage Estates Subdivision. The application was withdrawn in July of 2023, and the applicants requested to terminate the development agreement and revert the zoning designation on the properties indicating that they are unable to complete and are abandoning the project. Terminating the development agreement will unencumber the properties from the joint development plan and allow them to divest of their properties and/or develop them separately. One of the developers died and the wife is not inclined to continue with the development. The P&Z Commission recommended the Board terminate the development agreement and revert the zoning to an agricultural zone. Dave Larsen testified it is a straightforward and sad matter; he is available to answer questions from the Board. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve Case No. DA2023-0002, a request to terminate Development Agreement No. 22-031 between the parties, David and Cami Larsen and the estate of Terry Richards and Canyon County; and that all orders of the zoning properties be reverted from CR-R-1 to the original zone of "A" Agricultural. The Board's approval of the case includes the signing of ordinance No. 23-011. The hearing concluded at 1:44 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: REQUEST BY EMIL SIRON, REPRESENTED BY JUSTIN SMITH OF SUNDOWN WOODWORK, FOR A PLAT VACATION, CASE NO. VAC2023-0002

The Board met today at 2:34 p.m. to conduct a public hearing in the matter of a request by Emil Siron for a plat vacation to remove a fifteen-foot access easement located on the east boundary of Parcel R37629103 (approximately 2.15 acres), Case No. VAC2023-0002. The subject property is located at 24731 Blessinger Road, Star, within Sage Canyon Estates Subdivision (Lot 4, Block 1). Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Principal Planner Debbie Root, DSD Director Sabrina Minshall, Emil Siron, Jan Siron, and Deputy Clerk Monica Reeves. The Board had no disclosures or declarations to make. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to suspend the reading of testimony guidelines. Principal Planner Debbie Root gave the oral staff report. The request is to vacate a portion of a shared easement on the subject property. The development, Sage Canyon Estates, was platted in July of 2008 and was created through a conditional use permit. The property is zoned agricultural. The 15-foot platted access easement is not utilized for ingress/egress onto either property that it was initially intended to be a shared access for. There is an Idaho Power transformer box located in the utility easement within the access easement location, and the 5-foot utility irrigation drainage easement will remain in place if the proposed 15-foot shared access easement is vacated. Staff received an email from Idaho Power indicating it will not affect their transformer. The easements were required by the highway district, and the district permitted the access locations for the homes on Lot 4 and Lot 5 to be at a different location than what the shared access easement currently is on the plat. It is not utilized for access. The P&Z Commission recommended approval of the request on October 19, 2023. Following her report, Ms. Root responded to questions from the Board. Emil Siron stated he is available to

answer any questions the Board may have. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Following the Board's deliberation, Commissioner Van Beek made a motion to approve Case No. VAC2023-0002 which is a request to vacate the 15-foot, approximately 177-foot, access easement along the southeast boundary on Lot 4, Block 1, of Sage Canyon Estates Subdivision Final Plat subject to the conditions enumerated, and to accept Exhibit 5 as a late exhibit. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 2:46 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION GRANTING COSTEA DEMBI A REFUND FOR DSD FEES

The Board met today at 3:01 p.m. to consider a resolution granting refund to Costea Dembi for DSD fees. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Office Manager Jennifer Almeida, Constituent Services Director Rick Hogaboam, and Deputy Clerk Monica Reeves. The applicant applied for a Director's decision on a variance on August 18, 2023 which was associated with an application that was tied to a subdivision/rezone request and since that case was denied there was no reason for the applicant to move forward with the variance. Staff recommends a refund in the amount of \$540. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve staff's recommendation to issue a refund in the amount of \$540 to Costea Dembi for an unnecessary Director's decision on Case No. AD2023-0086, as presented. (See Resolution No. 23-259). The meeting concluded at 3:03 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEMS: CONSIDER ADOPTING A RESOLUTION TO ESTABLISH A POLICY TO CHANGE THE COUNTY PURCHASE ORDER THRESHOLD; AND CONSIDER A LEGAL SERVICES AGREEMENT WITH MOORE ELIA & KRAFT, LLP

The Board met today at 3:32 p.m. to consider adopting a resolution to establish a policy to change the County purchase order threshold; and to consider a legal services agreement with Moore, Elia & Kraft, LLP. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, and Deputy Clerk Monica Reeves. George Crookham arrived at 3:53 p.m. The items were considered as follows:

Resolution to Establish a Policy to Change the County Purchase Order Threshold:

COO Rast said at one point any procurement up to \$150 had to be approved by the Board and that policy was in place from 1991 to 2005. On September 29, 2005 a resolution was adopted raising the \$150 threshold to \$1,000. He recommends moving the threshold to \$5,000. Any purchase under \$5,000 is up to the discretion of the elected official or department administrator within their approved budget. Anything \$5,000 and above will come to the BOCC for approval. If adopted today's resolution will replace No. 05-211. He said the Clerk and Controller are on board with the request to increase the threshold. Chief Civil Deputy PA Carl Ericson does not have any legal problems with the resolution. COO Rast noted that in Ada County the Commissioners do not

review purchase orders unless the amount is \$50,000 or more. The Board will still see every claim and check that goes out of the County. Following discussion, Commissioner Brooks made a motion to adopt the resolution to establish a new policy for the County purchase order threshold limit of \$5,000. The motion was seconded by Commissioner Van Beek and carried unanimously. (See Resolution No. 23-260.)

Legal Services Agreement with Moore, Elia & Kraft, LLP: COO Rast said this is a letter of engagement for conflict cases and if we need outside legal counsel this gives the ability to contact them and engage in that matter. Chief Civil Deputy PA Carl Ericson said Moore, Elia & Kraft is a well-respected law firm and they understand public entity law and liabilities and now that we have the agreement in place we don't have to worry about trying to get it signed every time something comes up, it just facilitates the move towards getting it done as quickly as done. COO Rast said the firm is the lead counsel on defense of Travelers insurance claims. Commissioner Van Beek proposed a change to the first Whereas in the agreement to state the "*Canyon County Board of Commissioners seeks to retain...*" rather than Canyon County seeks to retain. Chief Ericson said the Board will be retaining the firm as Canyon County, Idaho, as the Board, the governing board and that is appropriate in this circumstance. We wanted to make this as clear as we can to keep issues as to how this comes about with outside representation when there are claims and who is in charge of the litigation. It was drafted like this so Canyon County can do it, it's not saying the Board, it's not saying the PA's Office. They are going to be retained by Canyon County to represent issues that come along. Commissioner Van Beek stills wants the change made. Commissioner Holton a whereas is not the force of the agreement, you are acknowledging in public that those conditions exist but it does not have the force of an agreement so if you want to make the change you need to move the Board of Commissioners up further in the agreement. Discussion ensued about the proposed language change. Chief Ericson doesn't think the change adds anything to the agreement nor does it take anything away from it. COO Rast read the proposed language as follows: "*This agreement is hereby entered this ___ day of December, 2023, by and between Canyon County Board of County Commissioners and Moore, Elia & Kraft, LLP, a law firm located in Boise, Idaho.*" The second paragraph will read: "*Whereas, Canyon County Board of County Commissioners, (hereinafter "County") seeks to retain a law firm to provide legal services to the County on separate matters that may arise in the course of each calendar year, and,*". Commissioner Van Beek made a motion to approve the legal services agreement with Moore, Elia & Kraft, LLP, with the noted changes the Chief read into the record. Commissioner Holton suggested a brief recess so the language could be typed and read from a hard copy. The Board took a recess at 3:55 p.m., and went back on the record at 4:00 p.m. COO Rast made the modifications to the agreement which state: "*This agreement is hereby entered this 13th day of December, 2023, by and between Canyon County Board of County Commissioners and Moore, Elia & Kraft, LLP, a law firm located in Boise, Idaho.*" The first Whereas was amended to state: "*Whereas, Canyon County Board of County Commissioners, (hereinafter "County") seeks to retain a law firm to provide legal services to the County on separate matters that may arise in the course of each calendar year, and,*". The motion was seconded by Commissioner Brooks and carried unanimously. (Agreement No. 23-172.) The meeting concluded at 4:01 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED CLAIMS

- The Board has approved claim 601311 ADV in the amount of \$1,000.00
- The Board has approved claim 601312 ADV in the amount of \$23,269.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Pioneer Irrigation District in the amount of \$39,438.00 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 Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Keri Smith, Ron Amaral, Claudia Haynes, Kim and Ken Yanecko, George Crookham and other concerned citizens (left at 9:35 a.m.), Erin Banks-Rusby with the Idaho Press (left at 9:35 a.m.), DSD Director Sabrina Minshall, DSD Principal Planner Michelle Barron (left at 9:35 a.m.), Director of Constituent Services Rick Hogaboam, COO Greg Rast, Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing an Ordinance Amending Chapter 1, Article 17 Land Use/Land Division Hearing Procedures; and Consider signing a Summary of an Ordinance Amending Chapter 1, Article 17 Land Use/Land Division Hearing Procedures: Commissioner Brooks stated that he has several changes and feels that Commissioner Van Beek may also have comments or revisions. Due to that and Commissioner Van Beek's absence he would like to reschedule these items, he then made a motion to reschedule these action items to December 20, 2023 at 3:00 p.m. The motion was seconded by Commissioner Holton and carried unanimously.

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

EXECUTIVE SESSION – PERSONNEL MATTERS, ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Brooks made a motion to go into Executive Session at 9:36 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (c), (d) and (f) regarding personnel matters, acquisition of an interest in real property, records exempt from public disclosure and to communicate with legal counsel

regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton. Commissioner Holton took a roll call vote where he along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, DSD Director Sabrina Minshall, Director of Constituent Services Rick Hogaboam and COO Greg Rast. The Executive Session concluded at 10:12 a.m. with no decision being called for in open session.

At the conclusion of the executive session, Commissioner Holton made a motion to continue the legal staff/executive session to 3:00 p.m. today. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:12 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:31 a.m. to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Facilities Director Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross.

Both properties have been out of compliance specific to weed height. All noticing and timeframes have been followed and the property has been taken care of by the county.

Consider notice of lien for 22486 Hwy 20/26, Parma, R3850201000: Total amount of lien is \$184.50 and upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to approve the notice of lien for 22486 Hwy 20/26, Parma, R3850201000.

Consider notice of lien for 7108 Southern Vista Ct, Star, R3381112300: Total amount of the lien is \$276.75 and upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to approve the notice of lien for 7108 Southern Vista Ct, Star, R3381112300.

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

MEETING WITH THE TREASURER TO CONSIDER ACTION ITEMS

The Board met today at 10:45 a.m. with the Treasurer to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy Treasurer Jennifer Watters, Deputy Treasurer Tonya May and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Tax Charge Adjustments by PIN for October 2023: Ms. Watters addressed a question from Commissioner Brooks regarding a specific fee. Upon the motion of Commissioner Brooks and

second by Commissioner Holton the Board voted unanimously to approve the tax charge adjustments by PIN for October 2023.

Consider Resolution Appointing a Successor Trustee to the Board of Health Trustees: Tonya May is resigning from the Board of Health Trustees and Jennifer Watters is being appointed as the successor. Upon the motion of Commissioner Brooks and second Commissioner Holton the Board voted unanimously to approve the resolution appointing a successor trustee to the Board of Health Trustees (resolution no. 23-261).

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

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 11:00 a.m. to consider matters related to medical indigency. Present were: Commissioners Brad Holton and Zach Brooks, Director of Indigent Services Yvonne Baker, Case Manager Kellie George and Deputy Clerk Jenen Ross.

Case no. 2012-1442: This case has been paid in full but there was a lien inadvertently missed when releases were previously approved for this case. Commissioner Brooks made a motion to approve the release of lien for case no. 2012-1442 as presented because they have satisfied their obligation to the county. The motion was seconded by Commissioner Holton and carried unanimously.

Case nos. 2024-5 and 2024-6: Both of these cases are requests for cremation. Canyon County has been established as the obligated county and met the eligibility criteria. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to approve the expenses related to cremation for case nos. 2024-5 and 2024-6.

Case no. 2024-4: This case was brought before the Board on December 7th at which time there was no application and was denied by the Board. Following that decision there was further investigation which revealed that the decedent's vehicle is valued at \$500, personal belongings were valued and \$200 and there was a negative bank account balance therefore meeting the criteria for assistance. Commissioner Brooks moved to approve expenses related to cremation as it appears assets are less than \$1000. The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 11:27 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION APPROVING A CHANGE TO THE JOB TITLE, DESCRIPTION AND SALARY RANGE OF ONE (1) POSITION IN THE SOLID WASTE DEPARTMENT

The Board met today at 2:01 p.m. to consider a resolution approving a change to the job title, description and salary range of one (1) position in the Solid Waste department. Present were: Commissioners Brad Holton and Zach Brooks, Solid Waste Director David Loper, HR Business

Partner Jennifer Allen and Deputy Clerk Jenen Ross. This resolution will change one position from an Environmental Compliance/Safety Manager to an Environmental Compliance/Safety Operator. The position has been vacant for several months and after evaluation it was determined that an operator position would be a better fit. It is more of a technical position and there won't be any subordinate employees. Additionally, there will be a reduction to salary costs with this change. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution approving a change to the job title, description and salary range of one (1) position in the Solid Waste department (resolution no. 23-262).

The meeting concluded at 2:06 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER BALLOT APPOINTING DR. JOHN TRIBBLE AS THE SWDH BOARD OF HEALTH PHYSICIAN REPRESENTATIVE

The Board met today at 2:30 p.m. to consider the ballot appointing Dr. John Tribble as the SWDH Board of Health Physician Representative. Present were: Commissioners Brad Holton and Zach Brooks, Commissioner Leslie Van Beek participated via teleconference and Deputy Clerk Jenen Ross. Commissioner Brooks spoke about how the current physician representative has retired and will not be renewing his medical license. As part of the SWDH Board, Commissioner Brooks participated in the interviews and is fully supportive of this appointment. He spoke about Dr. Tribble's qualifications and how he believes he'll be an asset to the health board. Commissioner Van Beek and Commissioner Holton both expressed their support of this appointment. Commissioner Brooks made a motion to confirm the appointment of Dr. John Tribble as the SWDH Board of Health Physician Representative. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 2:37 p.m. and an audio recording is on file in the Commissioners' Office.

CONTINUED LEGAL STAFF UPDATE

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 Brooks made a motion to go into Executive Session at 3:01 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Van Beek. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Commissioner Leslie Van Beek participated via teleconference, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Director of Constituent Services Rick Hogaboam and COO Greg

Rast. The Executive Session concluded at 3:31 p.m. with no decision being called for in open session.

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 15, 2023

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Maurissa Baxter, Housekeeper
- Henry “Bosco” Baldwin, Compensation & Benefits Manager
- Kalyssa Kempthorn, Juvenile Probation Officer I

CONSIDER DECEMBER 15, 2023 ACTION ITEMS

The Board met today at 2:02 p.m. to consider the December 15, 2023 action items. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, CIO Steve Higgins, Asst. IT Director Eric Jensen, IT employees, HR Director Kate Rice, HR Business Partner Jennifer Allen, and Deputy Clerk Monica Reeves. The items were considered as follows:

Resolution approving changes to the job title, job description and salary range of one position in Information Technology - CIO Higgins said reclassifying the telecom administrator to a network engineer will allow the department to align and modernize the current network team with industry standards. He spoke of the plans for moving an existing employee to the network engineer position, and to fill other positions within the department. CIO Higgins’ memo to the Board states the result will be an adjustment of \$12,000 to the position as a promotion. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adopt the job title and description of one position in the Information Technology from one telecom administrator to one network engineer as presented by Director Higgins. (Resolution No. 23-263.)

Legal services agreement with MSBT Law, Chartered - Commissioner Van Beek asked if there are substantive changes to the agreement from the last time the Board discussed it. Commissioner Holton said the title changed to indicate who the client is. COO Rast said this is just for conflict in case the Board needs outside counsel that way they can go into an engagement at any point if a matter arises at the last minute. Commissioner Holton said it is not being instituted today over a specific issue, it’s just pre-work in case. He said there are only a couple of law firms in the state who do anywhere near as many political subdivisions as MSBT Law and they have multiple counties and cities and other types of political subdivisions they deal with daily. He appreciates their background and participation on land use issues, and said it will be helpful to have an independent opinion and being able to help the various workloads of the County and it will be a great asset to be able to reach out to a law firm to communicate with. Commissioner Van Beek said the areas of expertise becomes critical and is the difference between a general practitioner and a specialist

so when you have need for land use law, employment law, and a myriad of things that the Board touches having that tenured expertise is really critical. Commissioner Holton spoke of his experience with MSBT Law and said they will look out for the customer, the taxpayer. Commissioner Van Beek said we do have a legal team but if there is a conflict between offices or something of a sensitive nature to have that completely removed in objectivity and sourced out so that there is no bias is the kind of transparency and good government people are looking for, whether it's an investigation or just an interpretation to make sure we don't impugn the process and it remains clear and unbiased work. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the legal services agreement with MSBT Law as presented. (Agreement No. 23-173.)

LexisNexis Amendment Renewal for one license subscription for legal research for the Chief Operating Officer - COO Rast said this used to be a cost within the IT Department and it will shift into the Commissioners' budget and the subscriber name will be Canyon County Commissioners' Office but he will be the named user. There will be a monthly charge of \$80. Commissioner Van Beek said Mr. Rast used to work for the Idaho Attorney General and he is very familiar with ethics in government and state statute and it has separated the men from the boys in having a Board who is interested in evaluating what its job is by Title 31. Commissioner Holton concurs. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the LexisNexis Amendment Renewal for one license subscription for legal research for the Chief Operating Officer, as presented. (Agreement No. 23-176.)

The meeting concluded at 2:15 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 18, 2023

APPROVED CLAIMS

- The Board has approved claims 601143 to 601172 in the amount of \$42,159.49
- The Board has approved claims 601173 to 601196 in the amount of \$84,063.74
- The Board has approved claims 601197 to 601229 in the amount of \$64,434.10
- The Board has approved claims 601279 to 601310 in the amount of \$21,353.32
- The Board has approved claims 601313 to 601362 in the amount of \$59,533.74
- The Board has approved claims 601363 to 601404 in the amount of \$125,930.26

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for Yanira Corvera, Customer Service Specialist.

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Legends Sports Pub & Grill to be used 12/23/23.

BOCC TO MEET DSD ASSISTANT DIRECTOR JAY GIBBONS

The Board met today at 9:18 a.m. to meet the new DSD Assistant Director Jay Gibbons. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, COO Greg Rast (arrived at 9:31 a.m.) and Deputy Clerk Jenen Ross. Mr. Gibbons spoke about his background stating that he's worked in both city and county government and is looking forward to building a culture of accountability and moving DSD in a positive direction. At the request of Commissioner Van Beek, Mr. Gibbons spoke specifically about his parks and rec. experience. The meeting concluded at 9:32 a.m. and an audio recording is on file in the Commissioners' Office.

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 19, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Truck Vault in the amount of \$5358.75 for Emergency Management (PO #5883)
- Emergency Responders Services Inc. in the amount of \$7091.60 for Emergency Management (PO #5882)
- Smartdeploy in the amount of \$8816.50 for the Information Technology department (PO #5907)

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

The Board met today at 9:32 a.m. for a meeting 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. Carl Ericson, Deputy P.A. Zach Wesley (participated by phone from approximately 10:15 a.m. to 11:01 a.m.), Deputy P.A. Alex Klempel, Facilities Director Rick Britton (left at 10:10 a.m.), Cpt. Martin Flores (left at 9:54 a.m.), HR Director Kate Rice (left at 9:54 a.m.), Benefits and Compensation Bosco Baldwin (left at 9:54 a.m.), DSD Director Sabrina Minshall, Principal Planner Dan Lister (left at 9:43 a.m.), COO Greg Rast, Director of Constituent Services Rick Hogaboam (left at 10:40 a.m.), Norm Brown with NAI Select/Rallen Realty Consultants (left at 10:10 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Findings of Fact, Conclusions of Law, and Order regarding the City of Nampa AOCI Map Expansion, Case No. OR2023-0002: There have been multiple public hearings about this and these FCOs finalize those proceedings. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Findings of Fact, Conclusions of Law, and Order regarding the City of Nampa AOCI Map Expansion, Case No. OR2023-0002.

Consider adopting COBRA Benefit Rate Increases: COBRA rates have not been updated since 2017 and this adoption will ensure that employees separated from the county will pay the current medical insurance rate and no longer have to be subsidized by the Health Plan Trustees. Lt. Flores said that the Health Board met on December 6th and voted to adopt the rates and move it to the BOCC for consideration; Lt. Flores will provide to the Board a memo of the health board discussion. Commissioner Brooks made a motion for the Board to sign and approve the COBRA benefit rate increase as presented. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider adopting Amendment to Buyer Representation Agreement with NAI Select/Rallen Realty Consultants: Mr. Ericson noted that in the agreement it indicates there could be concurrent representation of both the buyer and seller and offers the option of introduction to the seller. However, NAI Select/Rallen Realty Consultants does not conduct dual representation so this agreement needs to be amended to reflect that. Mr. Ericson walked the Board through the best ways to make these amendments to the agreement to reflect the changes. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to adopt the amendment to the Buyer Representation Agreement with NAI Select/Rallen Realty (agreement no. 23-174).

Consider Assignment and Assumption Agreement: Mr. Ericson explained that this document was discussed with the Board last week and agenda'd for today. There was some terminology in the agreement that needed to be revised. With approval of this document the county will be accepting the assignment from White Clouds Investments for the purchase of real estate at 1302 Albany, the agreement is attached as exhibit A to this document. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the assignment and assumption agreement (agreement no. 23-175).

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

EXECUTIVE SESSION – PERSONNEL MATTERS, ACQUISITION OF AN INTEREST IN REAL PROPERTY, 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 10:01 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (c), (d) and (f) regarding personnel matters, acquisition of an interest in real property, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with

Commissioners Van Beek and Brooks voted 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. Carl Ericson, Deputy P.A. Zach Wesley (participated by phone from approximately 10:15 a.m. to 11:01 a.m.), Deputy P.A. Alex Klempel, Facilities Director Rick Britton (participated from 10:01 a.m. to 10:08 a.m. DSD Director Sabrina Minshall (participated from 10:08 a.m. to 11:01 a.m.), COO Greg Rast, Director of Constituent Services Rick Hogaboam (left at 10:40 a.m.), Norm Brown with NAI Select/Rallen Realty Consultants (left at 10:08 a.m.). The Executive Session concluded at 11:01 a.m. with no decision being called for in open session.

Following the executive session, the following action was taken up:

Consider resolution approving an alcoholic beverage license for BFC 12th Avenue, LLC dba Boise Fry Company: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the alcoholic beverage license for BFC 12th Avenue, LLC dba Boise Fry Company (resolution no. 23-264)

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

DECEMBER 2023 TERM
CALDWELL, IDAHO DECEMBER 20, 2023

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Salt Lake Wholesale in the amount of \$57,414.58 for the Sheriff's Office (PO #5881)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change forms for:

- Darr Anderson, Deputy Sheriff
- Catriona Rost, Corporal
- Fallon Smith, Clerk I (Underfill II)
- Heidi Rodriguez, Clerk I (Underfill II)
- Dave Larson, Network Administrator
- Curtis Long, Network Engineer

CONSIDER RESOLUTION APPROVING THE JOB TITLE, JOB DESCRIPTION AND SALARY GRADE OF ONE POSITION IN THE PARKS, CULTURAL AND NATURAL RESOURCES DEPT.

The Board met today at 9:33 a.m. to consider a resolution approving the job title, job description and salary grade of one position in the Parks, Culture and Natural Resources department. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Parks Director Nicki Schwend, HR Director Kate Rice, COO Greg Rast, Director of Constituent Services Rick Hogaboam (arrived at 9:46 a.m.) and Deputy Clerk Jenen Ross. Director Schwend spoke about how this position will support historic preservation within the department along with being a support and liaison to Canyon County historic preservation organizations. Further discussion ensued as to specific projects this position could potentially work on. The position was approved as part of the FY24 budget. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving the job title, job description and salary grade of one position in the Parks, Culture and Natural Resources department (resolution no. 23-265). The meeting concluded at 9:48 a.m. and an audio recording is on file in the Commissioners' Office.

SPECIAL MEETING TO CONSIDER AN ACQUISITION OF REAL PROPERTY

The Board met today at 10:46 a.m. for a special meeting to consider an acquisition of real property. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Facilities Director Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross.

A request to go into executive session was made as follows:

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY

Commissioner Van Beek made a motion to go into Executive Session at 10:47 a.m. pursuant to Idaho Code, Section 74-206(1) (c) regarding acquisition of an interest in real property. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted 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. Carl Ericson, Facilities Director Rick Britton, COO Greg Rast. The Executive Session concluded at 10:56 a.m. with no decision being called for in open session.

Commissioner Van Beek made a motion to sign the real estate purchase and sale agreement on behalf of Canyon County and to authorize Commissioner Brooks to initial the documents. The motion was seconded by Commissioner Holton and carried unanimously. See agreement no. 23-177.

The meeting concluded at 10:57 a.m. and an audio recording is on file in the Commissioners' Office.

DISCUSSION WITH LEGAL REGARDING AN ORDINANCE AND SUMMARY AMENDING CHAPTER 1, ARTICLE 17 LAND USE/LAND DIVISION HEARING PROCEDURES

The Board met today at 3:03 p.m. for a discussion with legal counsel regarding an ordinance and summary amending Chapter 1, Article 17 Land Use/Land Division Hearing Procedures. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Civil Deputy PA Carl Ericson, Deputy PA Laura Keys, Deputy PA Zach Wesley, via conference call, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, Director of Constituent Services Rick Hogaboam, George Crookham, Keri Smith, Claudia Haynes, Kim Yanecko, JoDee Arnold, Steve Burton, Erin Banks Rusby from the Idaho Press, other interested citizens, and Deputy Clerk Monica Reeves. Today's meeting is a continuance of a meeting that was initially scheduled for last week. Commissioner Holton spoke about the confusion last week where people thought they could offer comment at a public meeting, and how a mistake was made when the meeting agenda include an action item. The meeting should have been scheduled as a workshop, not an action item. Today Deputy PA Zach Wesley was invited to explain the difference between an ordinance change that falls under LLUPA (Local Land Use Planning Act) and a simple procedural change by the Board.

Mr. Wesley's PowerPoint presentation is summarized as follows:

- The governing board shall, by ordinance or resolution, adopt hearing procedures for the conduct of public hearings.
- At a minimum such hearing procedures shall provide for an opportunity for all affected parties and persons to present and rebut evidence.
- Idaho Code §67-6534

Today's proposed draft is different from what would happen with the zoning ordinance which requires going through the P&Z Commission and having a noticed hearing that would be any zoning change or a zoning application. This could be done by resolution or ordinance, not the more complex zoning ordinance. The County has been evaluating its land use procedures and hearing process with the goals of streamlining the cases being heard, making sure the evidence is available up front so that an application is complete when it goes before a hearing body.

There was a review of the current practice the Board has been using for nearly a year.

SCHEDULE FOR PUBLIC HEARING (41-Day PROCESS)

- SUPPLEMENTAL CASE INFORMATION WILL BE POSTED UNDER "LAND HEARINGS" ON THE COUNTY WEBSITE
- DAY 1-5: Hearing notices sent with comment deadline to affected agencies and property owners
- DAY 19: Comment deadline ends. Comments received late will not be accepted. Late comments may be provided during the public hearing as testimony if accepted by the hearing body.
- DAY 20-30: Staff report packet preparation
- DAY 31: Staff report packet sent to hearing body
- STAFF REPORT WILL BE POSTED UNDER "LAND HEARINGS" ON THE COUNTY WEBSITE
- Day 41: Public hearing

In addition to adopting the 41-day hearing process into the ordinance change and housekeeping change have also been made. The proposed changes are:

Chapter 1, Article 17, Section 3

- Definitions
- Add the definition of DIRECTOR: The Director of the County Development Services Department or his/her designee.
- Remove definition of ~~HEARING OFFICER: The person who may preside over planning and zoning commission hearings and serve as a presiding officer applying the procedural functions established by chapter 7 of this code as amended and this article.~~

Chapter 1, Article 17, Section 5

- ~~SUBMISSION OF A PROPOSED DECISION: ACCEPTANCE OF APPLICATION FOR HEARING~~ (This will be a new section and will allow the Director to make the initial call about when an application is ready to be processed for hearing. Currently the County relies on the applicant to say when they are ready.
- The Director shall not schedule an application for hearing until he or she makes a determination that the application is complete and information provided is reasonably sufficient to allow the hearing body to determine whether to approve or deny the application. No application shall be scheduled for hearing until:
 -
 - 1. The application satisfies all application requirements enumerated in the substantive County ordinance(s) governing the application;
 - 2. The application includes all necessary agency comments. Agency comments are necessary if the agency's approval or disapproval of the proposed action may reasonably determine or otherwise significantly influence the approval or disapproval of the application, including potential conditions or to address required criteria of approval; and
 - 3. The application includes any other information or documentation the Director deems necessary for the hearing body's review of the application.
- The applicant shall diligently pursue any action or information deemed necessary prior to a hearing. An application shall be closed due to inactivity six (6) months after the date where a necessary action or information by the applicant is requested by the Director. The

Director, at their discretion, may grant request for extension of time to complete a necessary action for good cause.

Chapter 1, Article 17, Section 7

- **EXHIBITS PRESENTED AT HEARING:**
- To ensure inclusion in the staff report, ample time for hearing body review, and posting of materials to ensure transparency and equal access, exhibits, presentations, written public comments, or other documents intended to be relied upon as part of the record, including agency comments not previously received, must be submitted at least twenty (20) days prior to the hearing. After the written comment deadline, any input must be verbally given on the record.
- Late filed exhibits shall be excluded from the record. The presiding party cannot review exhibits submitted during a public hearing. Further, the submission of such documents or other material does not allow other parties time to address the material or provide for transparency.

Shift Existing Sections to Make Room for New Sections

- CONDUCT OF HEARING becomes Section 9
- RECORD becomes Section 11

Chapter 1, Article 17, Section 11

- ~~REOPENING THE RECORD:~~
- ~~Prior to issuing a written decision, the presiding party may, for good cause demonstrated, reopen the record for the purpose of receiving additional evidence. An interested party may seek to reopen the record by filing a timely motion to reopen the proceedings containing information therein to demonstrate good cause and paying any costs which will be incurred by the county to comply with applicable law. The presiding parties shall decide an applicant/appellant's motion to reopen the record within five (5) days of the receipt thereof. The presiding party may, within the time allowed herein, reopen the record for good cause on its own motion. If the presiding party determines to reopen the record, it shall thereafter comply with applicable law, if any, governing motions and hearings.~~

Chapter 1, Article 17, Section 11 (the former section 9)

- The staff report and any staff presentation shall automatically become part of the record as shall any documents submitted by the applicant/appellant or any opponents by the

comment deadline, as shall all verbal testimony given at the hearing. At the conclusion of the hearing, the presiding party shall close the record unless the presiding party determines, in its discretion, additional evidence is required, in which event, it may proceed as follows:

1. Close the record with the exception of allowing the submission of specifically requested information; or
2. Leave the entire record open for the submission of additional evidence to a date certain at which time it will automatically be closed without further action of the presiding party; or
3. Continue the hearing to a date certain for the purpose of receiving additional evidence and conducting such further proceedings as may, in its discretion, be advisable.

This is a catch-all where a written exhibit is not received within the 20 days and doesn't go into the record, but the hearing body believes that such evidence would be appropriate to hear and it will allow applicants or affected parties to make a request at the hearing and the hearing body can decide whether they want to close the record and allow additional evidence and leave the record open and have certain other exhibits or conduct further proceedings in the future at a continued hearing based on the new evidence. The other idea with this section is that the P&Z Commission will be the first opportunity to be heard and they should have a complete application and if someone submitted a late exhibit they could do that before the meeting with the Board of Commissioners.

Chapter 1, Article 17, Section 13

- When the record has been closed, the presiding party shall take the matter under advisement for the purpose of deliberating toward a decision on the record. After deliberating, the presiding party may then immediately render a written decision complying with applicable law or may continue the matter to a date and time certain for further deliberation and decision. Provided if the matter is continued, the presiding party shall render a written decision within thirty (30) days, unless a shorter period is provided by law, in which case the shorter period shall apply. ~~The commission and the board shall deliberate and make decisions at meetings which comply with the open meetings law, Idaho Code section 74-201 et seq., as may be amended from time to time. The conduct of the hearing examiner and hearing officer are not governed by the open meetings law.~~

They are proposing to eliminate the last two sentences because those laws already apply and it is a redundant expression of that law.

Deletions:

- Chapter 1, Article 17, Section 15, 17 and 19 are repealed as they are duplicative of Chapter 1, Article 1 of the Ordinance.
- [01-17-15](#): Severability Clause
- [01-17-17](#): Applicability
- [01-17-19](#): Effective Date

Following Mr. Wesley's review of the proposed changes, he said it's one step in the direction the Board has been heading this year to streamline things. There are other changes to the zoning ordinance that are in discussion but those have to go through the P&Z Commission before they come to the Board for final decision unlike this hearing procedure ordinance which could be adopted like a regular ordinance without a public hearing; it would just require the Board to adopt the ordinance and publish in the newspaper.

At 3:25 p.m. Commissioner Van Beek noted the agenda showed today's meeting was scheduled from 3:00 to 3:30 p.m. and so she made a motion to amend the agenda to extend the meeting time from 3:00 to 5:00 p.m. The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Holton said the Board has not been able to discuss the ordinance, it had been in components in various meetings and Legal was instructed to put it into ordinance form to see how it fits within the body of the ordinance. Director Minshall said what has been outlined is meant to have the clarity and additional transparency to what has already been posted on the website. It can be done via resolution or by practice, the idea was now that we have had experience with it to make sure we are putting it in a place that it's extremely clear. She spoke of the experiences they've had and having the materials helps planning staff prepare draft FCO's that are based in the evidence that's there which is something they have been working on with Legal and with the Board. When voluminous packets come at the meeting time, the hearing body does not have time to peruse those before making a decision. In most cases there is verbal testimony in the record or they are citing something that was already in the material, if not, there is always the ability to continue hearing. The FCO's are becoming better and much more evidentiary because of having that structured process. She spoke about the improvements to the process that have occurred over the past few months in an effort to be transparent and fair. Commissioner Van Beek talked about the importance of timelines and how we are saying in order for the hearing body to make the most informed decisions this is the proposed plan and it appears to be working well and it has been weaponized that the Board would not accept certain late exhibits but if there is that level of interest in a land use decision then they need to be more familiar with the website and what the deadlines are rather than exciting the public and creating a false narrative of what's really happening. Operating on good information is the best plan to move the County forward.

Commissioner Brooks asked if the below language could be used by an agency to intentionally not submit comments:

2. The application includes all necessary agency comments. Agency comments are necessary if the agency's approval or disapproval of the proposed action may reasonably determine or otherwise significantly influence the approval or disapproval of the application, including potential conditions or to address required criteria of approval

Director Minshall said staff and the applicant will do what they can to get comments, but there will be some point we will have to say silence is concurrence. However, she shares Commissioners Brooks' concern. We need a disclaimer that it's at the Director's discretion, and being clear that we want agency comment. Commissioner Van Beek supports the idea to evaluate this with either a timeframe or a caveat that doesn't empower agencies or special interest groups to halt a decision. Commissioner Holton is uncomfortable with some of the language. Director Minshall said they can alter that language for the next draft. Commissioner Van Beek asked Legal and DSD to review the language contained in slide #6 for grammatical cleanup and compare the two versions.

There was discussion regarding: 1) giving notice for ADA reasonable accommodations; 2) whether the Director Minshall is comfortable with the language that gives significant discretion to the Director on whether to move a case forward; and 3) whether we need some form of appeal for the Director's decision? Mr. Wesley said for most decisions in the zoning ordinance we have a Director's decision appeal that is built in, but he can take another look to make sure there is a process for an applicant to take their chances if they want to and maybe get rid of a little of that discretion for the Director. Director Minshall said if they want the application to move to hearing against the recommendation of the Director designees, that notation will be made on the application. DSD is trying to help any application be as complete as possible and they don't want things going to hearing over and over again that are missing big pieces of information. There needs to be a process other than using two hearing bodies' time to go through the file and say the information is not there. Commissioner Van Beek asked if there is anything that addresses new information or substantive changes? Director Minshall said that is not part of this, that will reside in the zoning ordinance for consideration by the P&Z Commission and by the Board. Legal and DSD will work on a refined draft and bring it back for review. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The meeting concluded at 3:53 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2023 TERM
CALDWELL, IDAHO DECEMBER 21, 2023

APPROVED CLAIMS

- The Board has approved claim 601625 ADV in the amount of \$2,000.00
- The Board has approved claims 601230 to 601263 in the amount of \$23,985.84
- The Board has approved claims 601264 to 601278 in the amount of \$559,163.09
- The Board has approved claims 601405 to 601458 in the amount of \$48,759.41

- The Board has approved claims 601459 to 601507 in the amount of \$132,811.87
- The Board has approved claims 601508 to 601519 in the amount of \$19,727.51
- The Board has approved claims 601520 to 601558 in the amount of \$26,753.96
- The Board had approved claims 601559 to 601591 in the amount of \$44,766.79
- The Board has approved claims 601592 to 601615 in the amount of \$13,802.00
- The Board has approved a travel advance claim in the amount of \$832.00
- The Board has approved claim 601626 in the amount of \$3,990.45

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for

- Christopher J. Wilcox, CCPA Limited Licensed Intern

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

- Motorola in the amount of \$382,880.88 for the Sheriff's Office (PO #5884)

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

The Board met today at 9:36 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Deputy P.A. Oscar Klaas, Deputy P.A. Laura Keys, Lt. Martin Flores (left at 9:40 a.m.), Emergency Communications Officer Roxanne Wade (left at 9:40 a.m.), Facilities Director Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross.

Consider Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Destruction of Canyon County Sheriff's Office Dispatch Mac Desktop Computers: Ms. Wade and Lt. Flores explained these are 10 computers that were purchased several years ago; they are at end of life and of no value to the county. Ms. Wade confirmed that IT has met with the Sheriff's Office and determined there is no value in even repurposing the computers or offering for donation. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution designating surplus personal property with nominal value and authorizing the destruction of Canyon county Sheriff's Office Dispatch Mac Desktop computers (resolution no. 23-266).

Consider RE-25 Seller's Property Condition Disclosure Form: Director Britton explained this should have been part of the paperwork that was signed the other day regarding the property at 1302 Albany St. but was inadvertently left out. This form is just a formality of the standard real estate purchase process to outline the condition of the property. Commissioner Van Beek made a motion to sign the RE-25 Seller's Property Condition Disclosure form. The motion was seconded by

Commissioner Brooks and carried unanimously. Commissioner Brooks initialed the document to be consistent with the ones signed previously.

Consider approving electronic signature policy: Ms. Keys explained Mr. Rast made some red-line edits but changes were minimal and there was nothing substantive. The Board is supportive of the document as-is and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the electronic signature policy. Dissemination of the policy will be a joint effort between BOCC and legal; Mr. Rast will create and forward a memo letting people know of the policy and to contact legal if there are any questions or for help with implementation.

The meeting concluded at 9:48 a.m. with an audio recording on file in the Commissioners' Office.

The Board went back on the record at 9:59 a.m. regarding the destruction resolution for the Sheriff's Office. Following the meeting, Lt. Flores did some follow-up noting that the proper protocol would be to donate the computers. Mr. Klaas confirmed that a revised resolution could be created by legal but it would be appropriate at this time for the Board to take action for donation of the computers and the resolution can be signed administratively later today. Commissioner Van Beek made a motion to amended the resolution to state that the computers will be donated. The motion was seconded by Commissioner Brooks for discussion and clarification/amendment regarding the exact computer type. The motion carried unanimously.

Note for the record: Following the meeting additional research was done by the legal team regarding the option to donate the computers. At this time, resolution no. 23-266 is inactive until the issue is resolved and the Board is able to consider a revised resolution at a future meeting.

The meeting concluded at 10:03 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING A RESOLUTION AUTHORIZING THE ACCEPTANCE OF STATE CRIMINAL ALIEN ASSISTANCE PROGRAM GRANT FUNDS

The Board met today at 10:03 a.m. to consider signing a resolution authorizing the acceptance of State Criminal Alien Assistance Program grant funds. Present were: Commissioners Leslie Van Beek and Zach Brooks, Deputy P.A. Oscar Klaas, Deputy P.A. Laura Keys, Controller Zach Wagoner, Bree Ann Kilbourne and Deputy Clerk Jenen Ross. This year the county has been awarded \$10,152 in grant funds based on the number of aliens (illegal immigrants) that have been housed at the jail based on a defined set of time. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing the acceptance of State Criminal Alien Assistance Program grant funds (resolution no. 23-267).

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

CONSIDER FINAL PLAT FOR HESSE LANDING, CASE NO. SD2023-0002

The Board met today at 10:30 a.m. to consider the final plat for Hesse Landing, case no. SD2023-0002. Present were: Commissioners Leslie Van Beek and Zach Brooks, Engineering Coordinator Stephanie Hailey, COO Greg Rast, Will Mason w/Mason and Associates and Deputy Clerk Jenen Ross.

Stephanie Hailey provided a staff report to the Board stating that the development consists of 3 residential lots, gravity irrigation, individual wells and septic and is zoned R-1, single family residential with an average lot size of 2.7 acres. The preliminary plat for Hesse Landing was approved by the BOCC on July 9, 2021 and was subject to 7 conditions. County engineering reviewed and approved the final plat construction drawings, participated in a post-construction site visit and compiled evidence for condition compliance. The county surveyor has reviewed and signed the final plat. The final plat is in compliance with Canyon County Zoning Ordinance 7-17-13. Staff is recommending that the Board of County Commissioners sign the final plat for Hesse Landing. Commissioner Van Beek made a motion that the Board sign the final plat for Hesse Landing, case no. SD2023-0002 as presented. At the request of Commissioner Brooks, Commissioner Van Beek amended her motion to authorize the chairman to sign the final plat. The motion was seconded by Commissioner Brooks and carried unanimously.

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:45 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Facilities Director Rick Britton and Deputy Clerk Jenen Ross. The action items were considered as follows:

Director Britton provided brief review of each property. Both properties were properly noticed and timeframes have been complied with.

Consider notice of lien for Rim Rd, near 12657 Equestrian Way, Nampa, R30101011C0: This property was out of compliance with weed height. The cost for clean-up was \$350.00. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the notice of lien for Rim Rd., near 12657 Equestrian Way, Nampa, R30101011C0.

Consider notice of lien for 0 Deer Flat Road, Nampa, R3011301000: This property needed mowing and removal of debris. It is a 100-acre parcel but after speaking with the neighboring properties there was an informal agreement reached that instead of clearing all 100-acres, just a couple acres on each side would be cleared as a fire-break. The cost for clean-up was \$1400.00. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the notice of lien for 0 Deer Flat Road, Nampa, R3011301000.

The meeting concluded at 10:51 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION VACATING A PORTION OF A SHARED ACCESS EASEMENT ASSOCIATED WITH CASE NO. VAC2023-0002

The Board met today at 11:02 a.m. to consider a resolution vacating a portion of a shared access easement associated with Case No. VAC2023-0002. Present were: Commissioners Leslie Van Beek and Zach Brooks, DSD Principal Planner Debbie Root, and Deputy Clerk Monica Reeves. Principal Planner Debbie Root presented the resolution as part of the decision the Board made at the December 13, 2023 hearing for Emil Siron to vacate a 15 x 177-foot shared access easement that's not utilized within the Sage Canyon Estates. The resolution will provide for an instrument that is searchable and completes the vacation of the easement. Commissioner Van Beek said it was vetted well at the public hearing and she made a motion that the Board sign the resolution to vacate the 15-foot x 177.58-foot portion of the shared access easement located on the east boundary of Lot 4, Block 1, Sage Canyon Estates Subdivision as presented. The motion was seconded by Commissioner Brooks and carried unanimously. (Resolution No. 23-268, recorded as Instrument No. 2023-040527.) The meeting concluded at 11:04 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY CANYON COUNTY DEVELOPMENT SERVICES FOR A PRIVATE ROAD NAME CHANGE TO WHITE SNOW GOOSE LANE, CASE NO. RD2023-0015

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Canyon County Development Services for a private road name change from Snow Goose Court to White Snow Goose Lane, Case No. RD2023-0015. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, Assistant Director of DSD Jay Gibbons, GIS Analyst Sage Huggins, GIS Supervisor Tony Almeida, Sheriff's GIS Manager Forrest Smith, Sheriff's GIS Analyst Kyle McCallister, Tim Walstad, Andrew Rossman, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Holton disclosed that he had been in direct email conversations with a person who lives on the private lane, but he does not see a need to be recused from participating in the hearing. The Board agreed to bypass the reading of the hearing guidelines given the small number of people in attendance at today's hearing.

GIS Analyst Sage Huggins gave the oral staff report. The Development Services Department is bringing forth the application to change Snow Goose Court, a duplicate road name discovered within Canyon County, to White Snow Goose Lane. In July of 2023 a building permit for a single-family residence was requested for Parcel R37205010A3 and during the addressing review process it was discovered that Snow Goose Court was a duplicate road name of Snow Goose Street which exists within the City of Nampa. Snow Goose Street dates back to 1995, and Snow Goose Court (the private road focused on today) was approved by the County in December of 2006, but it was not noticed that it was a duplicate name at that time. In August of 2023, DSD reached out to the

building permit applicant and asked for proposed new names for the road. Discussions occurred with other property owners residing off of the private road. October 15, 2023 was the deadline for any new proposed names, however, no new names were proposed. Hearing notices were sent to agencies and property owners of today's hearing date. According to Ms. Huggins the private lane is triggered once more than two dwellings use the same access point. The purpose is to promote the public health, safety and general welfare, peace, good order, comfort and convenience of the County. The proposed new name of White Snow Goose Lane is available and is not a duplicate name within the County and it differentiates enough from existing names. There was discussion regarding the suffixes court, street, lane, etc., do not constitute a differentiation.

GIS Supervisor Tony Almeida said there are duplicates within Canyon County and the city limits, however, we have no jurisdiction within city limits.

Sheriff's GIS Manager Forrest Smith testified that when calls come in to the dispatch center callers do not give complete information and so it's important that street names not be duplicated. There is a Snow Goose Court in Wilder and Snow Goose Street in Nampa and if someone calls and says they're on Snow Goose, the only one that shows up in the system is the one in Nampa and if they do not have phase 2 information such as triangulating the location of the caller they may send medics to Nampa. He said the names need to be different, and he said DSD and the cities have done a good job collaborating to keep duplicate road names from occurring but the County has no say over what the city does.

The following people testified in opposition to the request:

Tim Walstad lives on the corner of Fish Road and Lower Pleasant in Wilder and he is a firefighter for the City of Meridian. He said the County's main argument for the name change is based on public safety concerns, but if someone in Nampa calls 911 and an emergency responder travels to Wilder, there's a bigger problem they are not addressing within their own training and staffing. He works as an engineer and is training to become a captain and he spoke about the CAD system they use which is based off of GPS. Dispatchers ask callers for their name, where they live, what their address is, and where they are at and that traditionally takes care of the location issue. Mr. Walstad built his home in 2020 and said this should have been caught at that time because if the name is changed he will have to change his personal information including banking, shipping, and driver's license information. He finds it frustrating that the County is saying it needs to be done the name of public safety.

Andrew Rossman lives on Snow Goose Court in Wilder and he read a letter of opposition into the record. The road name change promotes unnecessary chaos and will cause extreme inconvenience issues for the homeowners on Snow Goose Court by requiring changes to membership subscriptions, homeowner businesses, irrigation records, titles, registrations, banks, mortgages, medical supplies, and legal entities to name a few. The safety issue does not exist, or is exaggerated. He said UPS, FedEx, and USPS return delivery site does not recognize street name changes and there is no universal schedule for updating databases of US street names so when you go online to enter your address, your updated address may not be available - you might

have to enter the old address. There is no way to control the mapping software of GPS of anyone needing to find your home. Mr. Rossman said the need for change is fictitious and does not exist and safety is being named as the primary reason behind the change, however, there is less of a safety risk with this situation than many others because the two names have a different suffix, one being court and the other being street. Additionally, there are 20 miles separating them. If by some slim chance there was a possibility of confusion of the two, then surely residents who live on Main Street in Greenleaf, Caldwell, or Nampa must be in jeopardy, and there must be inherent risk for residents of Ustick Road which runs from the west side of Canyon County through the entire county and continues through Ada County and Boise. Why isn't there confusion with EMS for any emergency situations on Ustick or Franklin Roads? Mr. Rossman said this is a made-up safety issue and it could be avoided if DSD would follow the ordinance. There isn't any demand to correct this duplicate street name that DSD claims there is. The ordinance does not have anything in it that closely resembles direction to review existing names for existing duplication. The ordinance focus is naming or renaming of streets or private roads in the county. There is nothing stating what to do when exceptions to the naming standards are identified because the ordinance only applies to new names. Since the road being compared to is clearly in the incorporated Nampa impact area, Snow Goose Court should not be compared to it and therefore this duplication issue does not exist. There is nothing in the ordinance that requires an audit of the existing street names and eliminate duplication. Snow Goose Court is an approved street name granted by DSD and the name has been reviewed by DSD at least three times in the past: during the initial creation; upon request of the first building permit in 2006; and in 2020 when the second house requested its building permit. Each time DSD gave a stamp of approval. There is no risk to homeowners on Snow Goose Court because of some made-up issue. Mr. Rossman spoke of his frustration with not being able to speak with staff or a Commissioner about this issue. He spoke with deputies who said they could not fathom there would be confusion with two streets that are 20 miles apart at opposite ends of the County. He said the demand for the road name change came out of the ordinance, but there is no audit process in the ordinance.

Tony Almeida stated this issue came up because there was a building permit and during the review process they look for potential issues such as the address being out of sequence or duplication of road names. It was missed prior to that because they were not checking for street names because with the majority of street names there is no duplication between the County and the cities. They also try to make sure Google maps is updated.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. During deliberation there was discussion regarding Mr. Rossman's points about the use of Main Street in multiple cities, as well as Commissioner Holton's point about the use of a countywide grid number system. Commissioner Brooks asked why Snow Goose Court in Wilder will cause a problem with Snow Goose Street in Nampa? In his opinion the road name change is unnecessary, and he questioned what it means if the County is knowingly in violation of its own ordinance. At the request of Commissioner Van Beek, Forrest Smith answered questions the addressing system used by the dispatch center. Emergency responders do not generally ask for street name changes for streets and homes that are occupied because they don't want to put citizens out, but, this ordinance is necessary. CCSO dispatches for

17 agencies: fire, medics, police, and SWAT, so to say there is no way EMS can be sent to a county location when the actual address is in Nampa (or vice versa) is incorrect. The more similar the street name the more confusion and more time it takes to get that call dispatched. Commissioner Van Beek said she sees both sides of the issues, however she does not want there to be a question about where to send EMS. DSD Director Minshall said this issue came up because it's an existing private lane that was pulling a building permit that needs to be in compliance with the ordinance, and just because it was missed in the past that is not a basis to say we are not going to be in compliance with the ordinance and that's why it was brought to the Board. In this case there was a building permit that was pulled and it triggered it, and it was the third house on the private lane. Commissioner Brooks has two questions he would like legal counsel to weigh in on: 1. What is the liability for the County for knowingly being in violation of ordinance; and 2 what is the liability if a real-life event were to occur there and timeliness was in question or doubt because of the two street names. Commissioner Van Beek understands there is inconvenience with the road name change, but she hears the concerns from the dispatch center. She then made a motion to uphold the proposed road name change for approximately 400 feet of Snow Goose Court, which is a private road running north and south, to White Snow Goose Lane as proposed by the Development Services Department for Case No. RD2023-0015. Discussion followed regarding the size of the parcels, and the proposed road name. Commissioner Van Beek withdrew her motion and made a new motion to approve the name change subject to input from the affected residents on 400 feet of Snow Goose Court, which is a private road, in Case No. RD2023-0015. Commissioner Holton suggested amending the motion to state they would have up to 90 days to make that determination and if they don't participate or cannot come to a resolution then the name shall be White Snow Goose. Commissioner Van Beek agreed to amend her motion for the inclusion of that language. The amended motion was seconded by Commissioner Holton and carried unanimously. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The hearing concluded at 2:49 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 22, 2023

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems, Inc., in the amount of \$15,387.31 for the Information Technology Department (PO #5965)
- ZOHO Corp. in the amount of \$11,333.70 for the Information Technology Department (PO #5966)
- Duplo in the amount of \$6,346.00 for the Information Technology Department (PO #5967)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Richard Penor, Juvenile Probation Officer II
- Kip Wiemers, Environmental Compliance/Safety Operator

ACTION ITEM: CONSIDER A RESOLUTION ADOPTING A NEW JOB DESCRIPTION OF ONE (1) POSITION IN THE ASSESSOR'S OFFICE

The Board met today at 1:01 p.m. to consider adopting a resolution for one position in the Assessor's Office. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, GIS Land Records Supervisor Christine Smith, HR Director Kate Rice, Constituent Services Director Rick Hogaboam, Communications Specialist Chad Thompson, CIO Steven Higgins, and Deputy Clerk Monica Reeves. Assessor Stender said the position, which was approved as part of this year's budget, will help with the analysis of GIS data and to do crossover with the appraisers. There is a vacant GIS mapper position within the Assessor's Office. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek the Board voted unanimously to approve and sign the resolution adopting a new job description of one position in the Assessor's Office, as presented. (No. 23-269.) The meeting concluded at 1:05 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2023 TERM
CALDWELL, IDAHO DECEMBER 26, 2023

The Commissioners' Office was closed on December 26, 2023.

DECEMBER 2023 TERM
CALDWELL, IDAHO DECEMBER 27, 2023

There were no meetings scheduled today, however, the following claims were approved remotely:

APPROVED CLAIMS

- The Board has approved claims 601627 to 601676 in the amount of \$172,589.22
- The Board has approved claims 601677 to 601716 in the amount of \$247,393.13

APPROVED DECEMBER 29, 2023 PAYROLL

- The Board approved the December 29, 2023 payroll in the amount of \$2,292,599.65

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 28, 2023

There were no meetings held this day.

DECEMBER 2023 TERM

CALDWELL, IDAHO DECEMBER 29, 2023

There were no meetings held this day.

There were no Board of Equalization matters that came before the Board this month.