

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 1, 2024

Commissioner Brooks attended the IAC Midwinter Conference today which was held at the Boise Centre.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 2, 2024

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 02/04/24.
- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 02/10/24.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Bonnie Peters, Temporary Customer Service Specialist (Rehire for property tax reduction season)
- Kevin Curl, Deputy Sheriff (transfer from patrol to CID)
- Allie Cimolino, promotion to Clerk III

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$10,337.60 for the Information Technology department (PO #5974)
- Dell in the amount of \$8669.11 for the Information Technology department (PO #5975)
- Dell in the amount of \$5698.08 for the Information Technology department (PO #5972)
- Amazon in the amount of \$5222.00 for the Information Technology department (PO #5973)
- Real Environmental Products in the amount of \$5906.00 for the Solid Waste department (PO #5909)
- Crane Alarm Service in the amount of \$7575.00 for the Solid Waste department (PO #5910)
- ACCO in the amount of \$45,651.00 for the Facilities department (PO #5926)

CONSIDER RECOMMENDATIONS OF CANYON COUNTY REPUBLICAN CENTRAL COMMITTEE ON A NEW CLERK APPOINTMENT

The Board met today at 1:02 p.m. to consider recommendations of the Canyon County Republican Central Committee on a new Clerk appointment. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Controller Zach Wagoner, Elections office staff Brandi Long, Haley Hicks and Robin Sneegas, Director of Indigent Services Yvonne Baker, Director of Misdemeanor Probation Jeff Breach, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, HR Director Kate Rice, HR Business Partner Kendra Elgin, Court Training and Development Manager Raena Bull, Director of Court Operations Jess Urresti, COO Greg Rast, Director of Constituent Services Rick Hogaboam, Communications Specialist Chad Thompson, Other interested citizens, Mr. and Mrs. Almer and JoDee Arnold, Erin Banks-Rusby with the Idaho Press and Deputy Clerk Jenen Ross.

Commissioner Van Beek stated that the Board of County Commissioners recently attended the Republican Central Committee meeting where candidates presented themselves. Following the meeting the Board felt like there was one clear recommendation and candidate. She said the Board appreciates those who applied and are excited for the new adventure in this critical office.

Commissioner Brooks noted for the record that the three recommendations from the Central Committee were Rick Hogaboam, JoDee Arnold and Steve Almer. His vote is for Rick Hogaboam. He spoke to his relationship with Mr. Hogaboam and the experience he brings. It is his opinion that he is the best suited candidate for taking on this job of being Clerk. Commissioner Van Beek supported Commissioner Brooks' comments and spoke about her knowledge of Mr. Hogaboam's experience and credentials and how those will be beneficial in stepping into this position.

Commissioner Holton explained that the person appointed today will need to run for the office this year; this appointment will not run the duration of Clerk Yamamoto's term.

Commissioner Brooks made a motion to appoint Rick Hogaboam as the next Clerk. The motion was seconded by Commissioner Van Beek and carried unanimously.

Mr. Hogaboam expressed his appreciation for this appointment and how he is looking forward to fulfilling this position and working with the Clerk's team.

The Board recessed from 1:11 p.m. to 1:21 p.m.

When the Board went back on the record present were Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, COO Greg Rast and Director of Constituent Services Rick Hogaboam.

Commissioner Brooks made a motion to sign the resolution of appointing to the Office of the Canyon County Clerk, Rick Hogaboam. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution no. 24-021. Mr. Ericson left the meeting at 1:23 p.m.

A request was made to enter 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 1:23 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, Director of Constituent Services Rick Hogaboam and COO Greg Rast. The Executive Session concluded at 2:38 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.

The meeting concluded at 2:38 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 5, 2024

There were no meetings scheduled for today.

APPROVED CLAIMS

- The Board has approved claims 602557 to 602591 in the amount of \$242,566.39

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 6, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Megan Mawyer, Emergency Communications Officer I (Certificate pay)
- Rick Hogaboam, Canyon County Clerk
- Chris Yamamoto, Temp. help to assist with County Clerk transition

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ACCO in the amount of \$24,114.00 for the Facilities department (PO #5927)

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. Laura Keys, Director of Juvenile Detention Sean Brown (left at 9:32 a.m.), Landfill Director David Loper, Parks Director Nicki Schwend (left at 10:11 a.m.), Treasurer Tracie Lloyd (left at 10:10 a.m.), Deputy Treasurer Tonya May (left at 9:46 a.m.), HR Business Partner Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Classifying Records of the Canyon County Juvenile Detention Center and Authorizing the Imaging and/or Destruction of Certain Files/Records: Mr. Wesley explained this is an update to the existing resolution to continue keeping files current. 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 Juvenile Detention Center and authorizing the imaging and/or destruction of certain files/records (resolution no. 24-022).

Consider legal notice of public hearing to consider increasing the on-site credit card fee for the Pickles Butte Sanitary Landfill: Director Loper said that the purpose in increasing the fee is to recover costs to the landfill. The last time the fee was increased was January 2023, however recent calculations indicate the fee would need to be increased to \$2.25 to cover costs. Commissioner Van Beek made a motion for the Board to sign the legal notice of public hearing for the date specified of February 27th where the Board will hear public comments regarding the increase of the credit card fee to \$2.25 as presented. The motion was seconded by Commissioner Brooks and carried unanimously.

A brief discussion ensued regarding the draft fee proposal for the landfill.

Consider Notice to Parties in Interest regarding Resolution Authorizing Transfer of Excess Sale Proceeds to Parties in Interest and State Treasurer: Ms. Keys said this relates back to the Feb 22nd surplus property auction which took place in November. At the request of Commissioner Van Beek, Treasurer Lloyd spoke about how the Parties in Interest process works. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the notice to parties in interest regarding resolution authorizing transfer of excess sale proceeds to parties in interest and the State Treasurer. Copies of the notice letters are on file with this day's minutes.

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 9:47 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. Zach Wesley, Deputy P.A. Laura Keys, Landfill Director David Loper, Parks Director Nicki Schwend, Treasurer Tracie Lloyd, HR Business Partner Jennifer Allen and COO Greg Rast. The Executive Session concluded at 10:08 a.m. with no decision being called for in open session.

Following the executive session, the following action item and discussion were taken up:

Consider Letter of Intent for Purchase and Sale of Vastine Inhold Parcel: The county has been in negotiation with the Vastine Family regarding a parcel near Celebration Park that would be beneficial to the county in a larger trade agreement with the BLM to secure property that is within the known Celebration Park boundaries. This is a non-binding contract; it simply documents the conversations that have been had with the Vastine's to this point and what the material terms of those discussion are. Commissioner Van Beek made a motion to sign the letter of intent for the purchase and sale of the Vastine Inhold parcel as presented. The motion was seconded by Commissioner Brooks and carried unanimously.

Discussion ensued regarding the caretaker position for the landfill. Ms. Keys spoke about updating the job description and changes to the agreement. Director Loper stated that there is a caretaker, although the position has been vacant for a while, employed by the County who lives on-site at the Landfill and provided information as to what the position entails. The Board is supportive of this continuing to move forward.

Commissioner Van Beek made a motion to continue legal staff update to 1:30 p.m. today. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:17 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH BLACK CANYON IRRIGATION DISTRICT

The Board met today at 10:30 a.m. with the Black Canyon Irrigation District (BCID). Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, Engineering Supervisor Dalia Alnajjar, Planning Supervisor Carl Anderson, Deputy PA Zach Wesley, COO Greg Rast, Attorney Andy Waldera from Sawtooth Law Offices, Carl Hayes, BCID Manager, John Hartman, BCID Director, Mike Wagner, BCID Chairman, Chris Clelland, BCID Board Member, Don Popoff, the Contract District Engineer with the Nampa Office of RH2 Engineering, Alan Mills, Matt Wilke, Steve Burton, and other interested citizens as well as Deputy Clerk Monica Reeves. Today's meeting was held in response to the November 27,

2023 meeting the Board had with Todd Lakey who represents the Snake River Valley Building and Contractors Association and affected members of the public expressing concern over various criteria from BCID for land use applications. Commissioner Holton made opening comments and referenced the November 27 meeting, as well as the governing bodies' fiduciary responsibilities and the importance of communicating and working together.

District Manager Carl Hayes said BCID's goal is to foster a collaborative relationship with the County. He provided a PowerPoint presentation which included an overview of the district and their facilities. BCID serves 60,000 acres of irrigated lands in Gem, Canyon and Payette Counties.

Attorney Andy Waldera gave an overview of Title 42 and 67 authorities and said the message he heard during the November 27, 2023 meeting with Todd Lakey was that the County should divorce itself from the irrigation entity process and vice versa and that the two should not lean on one another perhaps as much as they do. Mr. Lakey and the development community cited Idaho Code, Section 31-3805 which is the statutory provision which deals with the design and implementation of surface water irrigation systems within a subdivision to perpetuate the use of surface water for irrigation purposes instead of groundwater. That statute speaks in terms of advice or advisory position of the irrigation entity, vis-a-vis the local land use jurisdiction which is Canyon County in this case. Irrigation entities, including a single ditch owner, owes various statutory duties under I.C. 42-1201-1204 and ultimately for purposes for operations is it's a negligence-based legal standard and all irrigators/water users who rely on ditch systems are obligated to operate and maintain their systems and to deliver water as safely and efficiently as possible in a non-negligent manner. There are a number of protections built in the statutes for purposes of ditch owners and operators. I.C. 42-1102 and 42-1204 reiterate that ditch easements and rights of way of are essential and are to be protected. I.C. 42-1102, 42-1207 and 42-1209 all require the prior written permission of the ditch owner so that the owner/operator of the ditch can be satisfied whatever modification might be headed their way or encroachment on the right-of-way is something that can reasonably coexist with the operation function and integrity of the ditch system. He referred to a case from 2012, *Pioneer Irrigation District vs. City of Caldwell*, where there was an intersection of what are the rights and obligations of the irrigation entity as it relates to those who seek to modify or encroach on irrigation systems owned, operated, and maintained by the irrigation entity. The Idaho Supreme Court was clear that because of the statutory duties owed and the protections in many of these statutes and the legislature has vested in the irrigation entity - these statutes impose liability and therefore the legislature has adopted other statutes that provide the irrigator/water user with the initial cut of first discretion to determine what is or is not material and reasonable interference as it relates to modifications or encroachments to ditch systems. The ditch owner or operator is the expert in the field and they get the first cut of discretion as long as their decision-making is reasonable and not arbitrary and capricious, their decision stands and is owed judicial deference on judicial review should somebody disagree with the irrigation entity's decision.

I.C. 67-6519(4): The local land use planning jurisdiction is required to provide notice to an irrigation entity if the entity signs up as an interested agency as it relates to application submittals.

I.C. 67-6528: It is the local land use jurisdiction's obligation to adopt and implement a zoning ordinance under the consideration of the needs of the state of Idaho, other agencies, and special purpose districts.

He thought what he heard from the November 27th meeting was the idea where Title 42 entities and Title 67 entities need to stay in their lane. He disagrees with that for practical reasons and for core legal reasons, and where the local land use jurisdiction gets to take the baton and run with it is the County has broader police powers of the citizenry, and the question becomes not only should there be crosspollination as a practical matter, but also as a legal matter, but what does the County think is appropriate going forward under its own police powers as to what it decides to do with where it takes this crosspollination. What he thinks ruffled the feathers of the development community with respect to BCID had to do with various subdivision requirements, plan review, and facility tiling, fencing, easement protection, etc. He spoke of how Payette County has ordinance requirements regarding provisions for tiling of irrigation ditches and facilities within platted subdivisions in the name of public safety, and if the titling is not feasible or is unreasonable the facilities are supposed to be fenced. The big takeaway from his perspective is it's more than just advisory, these things matter. You have a new statutory provision from 2023, I.C. Section 42-204(A) which now requires Idaho Department of Water Resources (IDWR) to condition new groundwater applications to mandatorily condition to require the use of surface water first before groundwater sources can be used irrigation purposes provided that the ground involved in a development, or an applicant's ground, has available to it surface water delivery from a surface entity. While the Department is required to condition that that way and the County and the irrigation entities all want to follow that requirement too, how can we perpetuate the use of surface water for irrigation through these developments without cohesive planning and without talking to one another to make sure that surface water is being used and that the systems are being protected. The attractive high-dollar amenity-driven development that people are attracted to and want to buy into is where surface water already exists. We need to work together to perpetuate the ongoing function and integrity and reliability of these systems. There are different decision drivers for the County, for the irrigation entities, and for private developers and at the end of the day private developers are in it to make money and there's nothing wrong with that, but they are incentivized by virtue of their business model to maximize profit wherever they reasonably can and it leaves the County and the irrigation entities making 50-100-year decisions that are not for profit that are for cohesive planning and perpetuation of these improvements after the developer has moved on to its next project. Those who are left behind are living with and dealing with these situations going forward, the same ones who rely on irrigation water BCID delivers.

Don Popoff, the district's engineer, spoke about how he meets with developers and lets them know what the BCID policies are. The district has a very defined process posted on their website so developers can see it and they have made a very large effort to methodically respond to the sheer volume of development that is occurring. There is currently over 2,500 lots in some form of development. Mr. Popoff outlined BCID's development review process:

- Starts with notification

- The District responds and/or tracks every notification received
- Constantly responding to Canyon County P&Z notifications. (Over 60 notifications in 2023)
- The District's process has to be in step with the County process. Once lots are legally split (final plat signed), billing for the new lot owner is transferred. The District has processes that occur with the County's subdivision process. Has to be in sync.
- Reference was made to the Farmington Hills development which has 492 lots with several phases, however, it's an active case in Canyon County so no further comments or review were made regarding the project. In similar cases they look at the infrastructure that is affected. Sometimes they have to move piping, relocate a lateral, etc., because most laterals were placed on contours but subdivisions do not go how the land flows, they are squared off to maximize densities.
- Make sure the entity has spoken to BCID so they can follow the District's process. They have to work together.
- Intake Application
- Fees for applications are posted online
- Pre-Development meeting application meeting where they walk through the steps
- Development intake quote provided to the application (Estimate of costs for review is based on the project specifications).
- Development review process includes the step-by-step procedure, laying out the path for approval.

Communication with Other Entities

- The Districts meets with Canyon Highway District 4 on a bimonthly basis
- Meets with the City of Middleton P&Z bimonthly
- Meets with Gem County P&Z on an as-needed basis
- Met with Canyon County on August 14, 2023 and provide similar outlines of process/attempted to set up regular meeting with P&Z staff like they do with other entities, but so far that has not successful.

Mr. Popoff reviewed examples of developments they deal with including encroachment issues and disregard for irrigation easements. If they ignore irrigation and allow development to the most cost effective route for them we will end up with pipelines running through neighborhoods, between houses, underneath sheds, that are going to be a nightmare to fix and manage someday. They want to make sure there is ample room to work on facilities and it stays clear. To catch it at the preliminary plat stage is the goal so they can make sure the water will get to the end user.

Things that Drive Costs Up for Developers:

- The District sees plans that are illegible or not up to standard and requirement multiple reviews.
- Design by review: developers will provide through an engineer and send in a minimal plan and basically asking the District to design it for them and that costs money.
- Incomplete plans/plans do not work/hydraulic grade lines are incorrect.

- Construction is not completed by Idaho Standards for Public Works Construction (ISPWC)/won't pass a pressure test, etc., and these are things that drive costs up for developers.
- The District's stance is development pays for development. It's not fair existing landowners that are using irrigation water to be pay for a for-profit developer.
- There are subdivisions when issues are identified ahead of time the process goes smoothly.
- Spoke of the importance of collaboration.
- The District is not anti-development, it works hard to stay ahead of the County's process with completed reviews in order to make something work for the developer and still achieve lasting reliable delivery for the irrigation district patrons. BCID has been proactive in trying to tackle the volume of development applications.

Mr. Hayes said everything they've reviewed today has been a product of trial and error and their goal is to figure out a way to do this in a way that is transparent and works well with everybody and that they are organized and have a plan to move forward that meets the statutory obligations. They have done some things wrong and weren't organized, but those errors helped them develop the process they have today. Their goal is to do the best they can for their patrons and work with the agencies to do the best for theirs. BCID has struggled with keeping pace with inflation and how to manage the volume of projects and not pass those costs on to the ratepayers that are just paying for irrigation water.

John Hartman said prior to Don Popoff coming on his team was buried in development projects and there were several people asking why the review process was taking a year to get a decision and the BCID couldn't handle the volume without having an engineer on staff. They have good competent staff, but they're not engineers so bringing Mr. Popoff on has helped streamline the process and instead of the turnaround being 3-6 months they can now track it and see where they are in the process. It's not without some cost to the district to help support it, but the turnaround time has to be beneficial to the developers and to staff.

Mike Wagner said the district manager's plat is full and this has piled on top of it and they are managing an irrigation district and trying to deliver water but a lot of time is spent dealing development and it's over and above what they are trying to do and the expenses are over and above what they are trying to do. The development is where the profit is, the rest of us are just trying to keep things going. The development is over and above so if it costs, it costs but it should not cost the landowner who didn't sell and is just trying to pay his water bill and exist.

Chris Clelland said development should pay for development. It should not be the landowners who are farming to pay for expansion and development. The irrigation facilities that were put in that develop the ground to farm it and irrigate it that cost is shared among the growers and those with irrigated acres. Anything that changes the use of that land and any of the infrastructure that changes with that those who want that change should be responsible for the added cost.

Commissioner Van Beek had questions regarding BCID's application forms and she asked who has the expertise to review the information regarding head gate checkboxes, etc., to ensure the

engineering. She spoke of the importance of working together, delivery, return and recharge. Discussion ensued about the review of infrastructure.

Mr. Waldera said where you see most of the problems in delivery failures is outside of the jurisdiction of the overarching irrigation entity. It's up to the private water users on those systems to protect the integrity and function of their systems so when a pipe gets cut up or rots out or a box gets mis-built, it's up to those individuals to band together to fix it or go after the person who broke it. There was further review of the statutes. When three or more people take delivery the common point of diversion on a canal, lateral or reservoir, they are by default a lateral water users association and the question becomes are they unincorporated or do they incorporate? They exist and are afforded the same protections as BCID.

Commissioner Holton said Meridian, some of Ada County, and parts of Boise have determined that the irrigation district shall set the standards of the subdivisions and so when you look at these facilities they have pumping stations on the canals, they are delivering to the subdivisions and they have ultimate control. The subdivisions operate with impunity because somebody operates and maintains the system. What he heard Mr. Waldera say causes him fear because Canyon County is being presented with land use applications for developments that are much more than three people and you're telling me that after the walls falls off the weir it's their problem which becomes all of our problem. We need to look at those systems and work together to create a system that takes care of these people. He spoke about his experience with the City of Greenleaf creating an irrigation district that became part of a solution. He wants to explore a better way than to let it fall off a weir and those people take care of it. The City of Caldwell has some good examples of developers, who, in his opinion, did not service those people of that development. What we're talking about is people who move into developments and the majority have no idea where irrigation water comes from nor do they care, so, for the quality of life and the safety of people let's consider a system that is broader than what we are describing, a system that is safe, reliable, and repairable.

Mr. Waldera said there are band-aids available, but there are other options available on the landscape that are filling some of those gaps. He about city systems with municipal pressurized irrigation systems where they take delivery from a main irrigation district and the city takes on that burden and responsibility. There are statutes available to neighborhoods of water users that allow them to petition an irrigation district to build them a system under a localized special assessment. The problem is trying to get the neighbors to organize and do that because all they see is added cost. It's about education and value of the water on the ground and without that base agreement or understanding they will want to exclude from the district because they do not care about the irrigation water, they'll use potable water for their small lot. It is a hodgepodge but there are opportunities and other mechanisms that do exist to fill the gaps. At some point the large irrigation entity has to stop and the intermediate entities or the end water users have to take it upon themselves to stand on their own and perpetuate the use of this resource. It doesn't mean BCID can't help them along that path, but you'd be looking at a district with a staff to cover 60,000 acres. There are other entities that do more regional things, but it's not where BCID is yet, but it is being faced with a lot of development but it's still largely agricultural and where you see these

other gap filing entities is in the developed areas. Commissioner Holton said he agrees, but his problem is there are islands of development in the middle of nowhere and they want city benefits without the infrastructure and without wanting to pay for it. Regardless of how small the division is of the water falling off a weir to the end user, it is all of those end users you are putting a water toll on and you are receiving money to operate and so we have a problem. We are not going to solve this today, but we have expectations of the people who move into new developments who want it to be like a city but they bought in the County, how do we develop wisely so that those who buy the lots have a reasonable expectation of what they're getting involved with. Mr. Hayes said Commissioner Holton just outlined what BCID's learning curve is, and they've talked with Nampa Meridian Irrigation District who operates pump stations and they are working towards figuring out how to better manage those situations. They do not have as big an issue now with the newer developments and even those that have pressurized systems that have been in place for 20+ years as they did with the older systems that were primarily gravity. Pressurized irrigation systems have helped mitigate the concerns Commissioner Holton outlined and they are working on how to best manage it. They have spent a lot of hours with the communities who have dilapidated systems, but they are seeing less and less of that.

Commissioner Van Beek had questions regarding mapping related to overlays and templates. Mr. Popoff said BCID invested in mapping that shows where the laterals are in GIS and when a developer comes in with a project they will overlay their development onto the mapping and see where the pipelines, laterals, or ditches fall. Another component is the upkeep of the mapping to reflect the easements that were moved and include infrastructure, and BCID's stance is that should be a cost to the developer.

Commissioner Van Beek said a question she heard from the developers dealt with the requirements for tiling and if you have pivots that's great, but surface irrigation is less effective on some of those and so what are the cumulative effects? Is BCID working with IDWR, and how is that affecting the agricultural component because the Board is hearing that tiling is poor for recharge and is diminishing the availability for surface water for farmers. Mike Wagoner said he recognizes the water filtration of the canals, but as they bury those ditches and put pivots in they save irrigation water. Last summer they were on 7/10 of an inch for 30 days. He can irrigate 100 acres with 70 inches, but he's making a living on that where a subdivision still gets their 32-35 inches for their 40 acres to irrigate their yard which he finds hard to accept. He spoke about water shortages and water efficiency and said if he didn't have pivots his land would burn up on 7/10 of water. He recognizes the desire to put the water back in the aquifer but people are still drilling wells in this valley and there wasn't water in the drain ditches before BCID brought Payette River water over the hill. There is water in drain ditches so there is plenty of water filtering into the system with all of the pipelines and the benefit that they get of saving that water when it's 100 degrees in 1,000 miles of open ditch. Commissioner Van Beek said that's different information and a different perspective than what she heard. The challenge is how much recharge should go back in and how much does a farmer need given that the development is taking a portion of your water right. Mr. Hayes said part of the groundwater study came out of work they did through the Treasure Valley Water Users Association (TVWUA); they work with the IDWR and the Idaho Water Users Associations (IWUA) on a regular basis and they've worked to fund those studies in order to

understand the situation better and part of what they are finding eastern Idaho and what they are learning here is if you can save surface water in certain areas you have opportunities to target recharge in the future if needed in a more beneficial location. In the end it comes back to BCID's statutory obligations, they are a surface water delivery agency and they have statutory obligations to do that as efficiently as possible and that is what drives the piping portion of things so they can save as much surface as possible and put it where it needs to go and meet their statutory obligations but they are also looking to the future and funding those studies in order to figure out how to negate what's coming down the pipeline.

Commissioner Van Beek said there was concern about quotes and bid estimates for piping certain ditches and she asked the district to address who is the expert on tiling, and how many estimates they get, and who is looking at the specs on laying that pipe. Mr. Hayes said they don't get involved as far as bidding the pipe, their standards go back to the ISPWC standards so they try not to do anything outside of that unless it's not addressed in the standards. They have a slot of certain pipes they accept and design. The engineer and developer select the type of pipe for the type of situation they're in. Outside of ISPWC and what works for irrigation whether it's pressure or gravity they do not review it beyond that. If it works and meets the specs that's fine with BCID. The only time they have issues on pipe selection is when they propose something that doesn't meet ISPWC or is not adequate for a service irrigation entity.

Commissioner Van Beek asked if BCID has met with the development community to address their concerns? Mr. Hayes said they have a weekly meeting on Mondays from 12:00 to 5:00 and it's open for anybody to schedule a meeting and work through issues. He said there are very few board meetings where they don't have somebody requesting a variance or a request for reconsideration so their level of involvement is fairly hands on.

Commissioner Holton thanked BCID for responding to the County's requests for comments on land use projects and said one of the questions the County has to answer is about the availability and practicality of whether it's surface water or groundwater and he looks forward to working together. He also appreciates when they respond and let people know the property is not within the irrigation district. He said he doesn't necessarily agree with some of the testimony that was given at the November 27th meeting, but he appreciates BCID addressing a lot of the issues. Today's meeting did not cover several topics, but he would be open to an additional meeting. Mr. Waldera said the TVWUA is actively discussing and working on these issues and partnering with others like the IWUA, and the Idaho Water Resource Board, and are funding and undertaking studies in an effort to determine how similar or dissimilar we are to the hydrogeology and how those systems work. He encouraged the Board to stay in contact with those groups so we can make decisions that will get ahead of what's going on elsewhere in the state. No Board action was required or taken. The meeting concluded at 12:00 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER PURCHASE AGREEMENT FOR 1212 ALBANY STREET, CALDWELL, IDAHO; AND A CONTINUED LEGAL STAFF UPDATE

The Board met today at 1:30 p.m. to consider a purchase agreement for 1212 Albany Street, Caldwell, Idaho. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Facilities Director Rick Britton, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, COO Greg Rast, Norm Brown, and Deputy Clerk Monica Reeves. Director Britton worked with realtor Norm Brown and presented the Board with a purchase and sale agreement for property located at 1212 Albany Street which will help with the County's parking needs as the new Sheriff's administration building is being built. Chief Civil Deputy PA Carl Ericson said this is standard real estate agreement, although there are couple things to address related to the lease-back agreement that will be signed by the seller. The language states all utilities shall remain in the seller's name until May 31, 2024 and shall be responsible for all utility billings during this period. The tenant will pay the County \$1 per month for rent. The language states property taxes, water assessments, and utilities, etc., will be prorated upon closing which is opposite of saying the tenant will be responsible for all utilities after closing. We are not going take it over so they have no reason to prorate the utilities. A delayed possession rental agreement will have to be signed since the tenant will be staying there and it says she will be responsible for all utilities going forward, and so they should not include the proration for utilities in the closing. The County will insured for liability and other normal casualties, but not for fire. Commissioner Brooks wants to make sure the County Treasurer is aware the County is purchasing the property. Commissioner Holton made a motion to accept and approve the real estate purchase and sale agreement and to authorize Commissioner Brooks to sign and initial the required pages. The motion was seconded by Commissioner Van Beek and carried unanimously. (Agreement No. 24-013.)

As part of the legal staff update, Deputy PA Wesley spoke about communication from the County Treasurer regarding a parcel that's coming up for auction again. It's been in the County's possession since 1942 where it was taken for tax deed. There is no recorded written easement to this parcel and went it was taken by tax deed it was owned by one property owner with many of the other lots around it as one large chunk and there was no reason for anyone to have an easement at that point. At the last auction there were three distinct opinions about the future of the parcel: one Commissioner wanted to sell to the highest bidder and get it back on the tax roll; another wanted to explore the possibility of using it for a park; and the other wanted to make sure it could be developed as a residential development and sell it as a residential parcel where it would be more valuable. They explored it with the Parks Department who consulted with DSD and found there are portions of the lot that are buildable and some are not, so it will be a large burden to build anything substantially on it. The Parks Department though the idea was interesting but it does not fit within their long-term planning and they thought the City of Caldwell would be a more appropriate home for it since they have some parks up the river from that location although Mr. Wesley doesn't think that idea was explored. There are many legal actions we can take to get an easement there and we could try to negotiate with the property owners, or there are other legal theories to pursue through a quiet title action or we could use eminent domain to get an easement to the parcel if we want to auction or sell with a recorded easement. Commissioner Van Beek asked if the previous auction and details were properly noticed to the public. Deputy PA Wesley believes it was. Commissioner Van Beek said she was the Commissioner is in favor of looking at what realtor Norm Brown says is an appropriate value and not interfering with just a

market process of having people who are interested come forward. Commissioner Brooks wants to sell the property. The Executive Session 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 1:45 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) discuss 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, Facilities Director Rick Britton, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, COO Greg Rast, and Norm Brown. Commissioner Holton left at 1:50 p.m. The Executive Session concluded at 2:17 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 2024 TERM](#)

[CALDWELL, IDAHO](#) [FEBRUARY 7, 2024](#)

APPROVED CLAIMS

- The Board has approved claims 602592 to 602630 in the amount of \$132,698.22
- The Board has approved claims 602631 to 602670 in the amount of \$29,840.74
- The Board has approved claims 602671 to 602715 in the amount of \$69,499.85
- The Board has approved claims 602860 in the amount of \$6,686.44
- The Board has approved claim 602861 ADV in the amount of \$333.00
- The Board has approved claim 602862 ADV in the amount of \$1,116.00
- The Board has approved the January Jury claim in the amount of \$3,890.03
- The Board has approved claims 602716 to 602769 in the amount of \$110,345.74
- The Board has approved claims 602770 to 602804 in the amount of \$323,153.79
- The Board has approved claims 602829 to 602859 in the amount of \$60,407.66

APPROVED FEBRUARY 9, 2024 PAYROLL

- The Board approved the February 9, 2024 payroll in the amount of \$2,474,234.92

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Ken Garff West Valley Ford in the amount of \$180,440.00 for the Fleet department (PO #5950)
- Dell in the amount of \$21,813.00 for the Sheriff's Office (PO #5889)
- Canyon County Sheriff's Office in the amount of \$19,800.00 (PO # 5885 REVISED) **this PO was originally approved on 1/12/24*

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for The Triangle Restaurant to be used 5/26/24.

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Nicholas O'Bryant, Deputy Prosecuting Attorney - II Criminal (Transfer from Public Defender Dept. to Prosecuting Attorney's Office)

MEETING WITH FACILITIES DIRECTOR TO DISCUSS ON-CALL PAY

The Board met today at 1:32 p.m. with the Facilities Director to discuss on-call pay. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, HR Director Kate Rice, HR Business Partner Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider on-call pay for Facilities staff: Director Britton wanted to provide the Board with some additional information and how the on-call pay would impact his budget. Mr. Rast spoke about how on-call pay was implemented in 2018 for Information Technology and that this is the 3rd rate change for Tier I/Tier II. There needs to be accountability for on-call assignments so policy has been included in the facilities handbook. Mr. Rast feels that if you're requiring an employee to be on stand-by they should be compensated to a certain degree. Director Britton said he has contacted other agencies and/or companies that have on-call employees and every one of them has some kind of stand-by pay structure. Based on the number of employees who are currently on-call the budget impact would be approximately \$56,000 and he would like to bring this forward for FY25. The Board is supportive of moving this forward and getting a resolution created. Commissioner Holton moved to recommend to the Facilities Director that he follows on this course and come back with concrete paper and policy that can be put into a motion for approval. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

MEETING TO REVIEW THE 2023 ANNUAL REPORT FOR THE BOARD OF COMMUNITY GUARDIANS

The Board met today at 2:00 p.m. to review the 2023 annual report for the Board of Community Guardians. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, Guardianship Monitor Janet Caufield, BOCG Member Bailey Wilson, COO Greg Rast, JoDee Arnold and Deputy Clerk Jenen Ross. The topics reviewed included the annual impact, lack of guardians, role and responsibility of the Guardianship Monitor and the overall level of obligation that is needed to be a guardian. Commissioner Holton made a motion to officially accept the FY2023 Annual report from the Board of Community Guardians and stated the work done is really appreciated. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 2:19 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION TO ADOPT CHANGES TO THE JOB TITLE OF FOUR (4) POSITIONS IN THE CLERK'S DEPARTMENT

The Board met today at 2:31 p.m. to consider a resolution to adopt changes to the job title of four (4) positions in the Clerk's department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Director of Court Operations Jess Urresti, HR Director Kate Rice, HR Business Partner Kendra Elgin, COO Greg Rast, JoDee Arnold and Deputy Clerk Jenen Ross.

Mr. Urresti spoke about the title changes from Clerk I's to Clerk II's and Clerk II's to Clerk III's noting the change was accounted for in the FY24 budget. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks the Board voted unanimously to sign the resolution to adopt changes to the job title of four (4) positions in the Clerk's department (resolution no. 24-023).

The meeting concluded at 2:35 p.m. and an audio recording is on file in the Commissioners' Office.

COMMISSIONERS RIDE ALONG WITH CALDWELL POLICE CHIEF INGRAM

The Board of Commissioners participated in a ride along with the Caldwell Police Department this evening. It was not a Commissioner meeting. There were no motions, action items or Board direction entertained or given.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 8, 2024

APPROVED CLAIMS

- The Board has approved claims 602805 to 602828 in the amount of \$17,686.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Motorola Solutions in the amount of \$9681.69 for the E911 Advisory Board (PO #5890)
- Bryx, Inc. in the amount of \$201,000.00 for the E911 Advisory Board (PO #5891)

PUBLIC HEARING – REQUEST BY TANNER VERHOEKS OF HAVEN IDAHO FOR A CONDITIONAL REZONE FROM AN “A” (AGRICULTURAL) ZONE TO A CR-R-1 (CONDITIONAL REZONE- R-1 RESIDENTIAL) ZONE, CASE NO. CR2022-0005

The Board met today at 1:35 p.m. to conduct a public hearing in the matter of a request by Tanner Verhoeks of Haven Idaho for a conditional rezone of parcels R28963, R2891010, R2891011 and, R28961, approximately 43.95 acres, from “A” (Agriculture) to CR-R-1 (Conditional Rezone – R-1 Residential), Case No. CR2022-0005. The subject property is located at 9814 Robinson, Nampa. Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy PA Zach Wesley, DSD Planner Michelle Barron, DSD Assistant Director Jay Gibbons, DSD Director Sabrina Minshall, In Favor: Tanner Verhoeks, Joe Stewart, Robbie Reno, Rick Brown, Justin Ruthenbeck, Hethe Clark, Samantha Hammond, Todd Lowell, Julia Ruis, Emily Niel, Nathan Orchard, Kyle Belknap, Jena Cloy, Neutral: Terry Scanlan, In Opposition: Sue Marostica, Victor Marostica, Ted Zahradnicek, Tom Zahradnicek, Ronald Plummer, Jim Danes, Irene Chavolla, Doug Stittsworth, Cynthia Atnip, Polly Plummer, Linda Emry, Roxanne Geyer, Dewight Higel, Gary Geyer, Larry Peterson, Russ Johnson, Curtis Kessel, Mike Fast, Brad Smith, Kimberly Smith, and other interested citizens; and Deputy Clerk Monica Reeves. As part of Commissioner Holton’s opening statements, he informed the audience that Commissioner Zach Brooks felt he had too much conflict of interest to attend today’s hearing, although he didn’t give any specifics or allude to what that was he is a very fair man and Commissioner Holton said he will honor his decision not to attend. Neither Commissioner Van Beek nor Commissioner Holton had any conflicts of interest or declarations to make pertaining to this hearing.

DSD Principal Planner Michelle Barron gave the oral staff report. The request includes a development agreement to limit residential development to 29 lots with a public water system. On February of 2023, the P&Z Commission recommended denial of the application. On September 14, 2023, the Board remanded the case back to the P&Z Commission so they could consider the updated information. On November 2, 2023, the P&Z Commission heard the case again with updated information and evidence and they recommended denial of the application. The items the Commission had not seen or used in their decision included a new recommendation from the Kuna School District, an agreement to place a monitoring well that has been made between the applicant and Idaho Department of Water Resources (IDWR). A pumping test was conducted to gain information about the impact on groundwater from the development. The applicant has also firmed up irrigation and drainage issues, along with a landscaping plan that will be addressed at the time of platting. The developer also had a traffic threshold analysis completed. Principal Planner Barron reviewed the parcel and land division history. A preliminary plat for Haven Creek Subdivision was submitted concurrently with the conditional rezone application, but it has been

on hold until the conditional rezone conditions are decided upon. The future land use designation in the 2020 comprehensive plan is residential. The property is located within the Nampa impact area and has a future land use designation of low-density residential. The City of Nampa recommended denial because they would like to see smaller lots sizes with a maximum of 32,000 square feet. There was a review of the soil information, and it was noted there are 13 subdivisions in the area. The proposed plan aligns with three goals and six polices of the comprehensive plan. The City of Nampa has said connection to city water is not feasible at this time and current city sewer capacity would be insufficient to serve the development. There was a review of the concerns related to water and sewage disposal. Concerns from neighboring property owners include water quantity for the proposed use, additional traffic, smaller lot sizes and the loss of productive agriculture in the area. The applicant submitted possible conditions to add to a development agreement if the request is approved.

The following people testified in support of the request:

The applicant, Tanner Verhoeks of Haven Idaho, testified the property is located on Robinson Road, south of Lewis Lane and is very close to Kuna and is designated by both the County and the City of Nampa as low-density residential. There are 140 existing homes surrounding the subject property to the north, south, east, and west. The most common lot size is 0 to 1 acre; there are 27 small parcels in the staff report, the remainder are from 1 acre to 5 acres. The lots in the project are between 1 and 2 acres. Mr. Verhoeks said the project could propose R-R zoning, R-1 zoning, or urban density, but they are proposing somewhere between R-R and R-1 suited for the transitional character of the area. He reviewed the concept plan which includes a pressurized irrigation system with a storage pond along with a community well system. There will be meandering curved roads, and three protected cul-de-sacs which are meant to keep the rural character without lining up houses cookie cutter style. They invited neighbors to brainstorm the 6 areas of concern and they took the best ideas and included them in their plan. The single biggest concern was the potential impact to wells, so they adopted a community water system to have one shared system instead of 29 individual wells. It will be over 200 feet for a reliable arsenic-free water system, and they have started thinking how to invite neighbors to connect to the system if they are worried about their shallow wells. Residential use will use drastically less water than existing irrigation water rights let them use. The largest agricultural production nearby is Stewart Dairy, and they support the project as it creates a transitional buffer between city density and production agricultural areas. The developer has a signed agreement with Kuna School District that will allow students at Swan Falls High to design and construct a home at Haven Creek as part of their construction trades education program and they are giving one of their lots to the school and will donate time to help the students learn practical skills in the trades. Mr. Verhoeks reviewed images of what Community of the Country looks like, it will be an artistic inspiration with the rural rustic feel with extra setbacks with a landscape buffer and median planting at the entrance to the subdivision, and it consist of small acreage homes. Staff originally determined the project met all eight standards of the code, but the P&Z Commission made a different recommendation. The comprehensive plan directs residential development to property like this which is already surrounded by housing. It's appropriate and compatible with the area. The proposed water and septic approaches have been measured and shown to be compatible, and the traffic is compatible.

He spoke about the lot sizes in the area and said having a variety of housing options in a large area is healthy and will meet the housing needs. If we cannot build houses at a location that is consistent with the comprehensive plan, inside of an area of impact, consistent with the future land use maps, in an area of transition already surrounded by houses, supported by production agriculture, including community water with mitigations included for impacts, and with lot sizes larger than others in the vicinity, how we will build anywhere? Following his testimony, Mr. Verhoeks responded to questions from the Board. In regard to questions about the school district, Mr. Verhoeks said by donating a lot, having a house built, and the school district being allowed to sell that lot, they will surpass the district's voluntary mitigation fee of \$90,000 they request from developers. They are providing funds for capital improvements, but also of a large educational impact. Hethe Clark, the applicant's counsel, responded to questions regarding their communication with the Kuna School District and they have indicated they can serve the project's students.

Joe Stewart, who represents Stewart Dairy and farms in the property, believes the applicant has presented a thorough plan and said if it fits the comprehensive plan he does not oppose it. He said as a neighboring landowner, you want the rights of your property and the best value and opportunity. He said he opposed a different application due to a rights issue through access of property and because it was building a home of rehabilitation that was a risk to the neighborhood. Mr. Stewart said the valley is growing and homes are part of that growth.

Robbie Reno offered testimony on behalf of the Kuna School District regarding the overcrowding and failed bond issues the school district faces. The school board has asked him to meet with developers because they are coming and there has been no mitigation to help that. Idaho is one of two states that have zero impact fees and require a supermajority of bond passage. With current enrollment this development will feed into Crimson Point Elementary which is at 86% education capacity, and Kuna Middle School which is at 96% capacity, and eventually into Kuna High and Swan Falls High Schools which are at 103% capacity. He said this development team has asked how they can help and what mitigation measures they can take. The district is proud to partner with this developer because it will provide some mitigation and learning opportunities for the kids, and there is an opportunity where the revenues created will go into a capital improvement fund. Following his testimony, Mr. Reno responded to questions from the Board regarding the school district's capital needs.

Rick Brown is the construction trades teacher at Swan Falls High School, and he will be working on the partnership where students will work on the construction of a house, and he spoke of the benefits in terms of planning, budget, and being involved in the development project on the subject property. They are looking at having a builder and developer involved where the students can work a day or two on site and return to the classroom and study for the next phase. They will be involved in the processes, but not responsible for the processes taking place. Following his testimony, Mr. Brown responded to questions from the Board.

Justin Ruthenbeck testified about the hours the development team has spent speaking with neighbors, consultants, and other stakeholders discussing the issues in the community such as

shallow wells, grading, drainage, water quality, schools, and traffic. The project developers are motivated to help solve the problems and allow the neighbors to be part of the community water system. The project says yes to the school district and to production agriculture. The project says no to people who claim this farmland should be saved. Those who farmed it said they will only rent it at 60% of comparable market value because the yields are only 60% of what they can get elsewhere due to its shape, and water, and being bisected by the canal. The project says no to people who do not want houses next to their houses. There are 140 homes surrounding the property and the developers feel as long as what they are doing is consistent with the comprehensive plan and is consistent with transitional uses they should have the same right to use their property as those around them. Following his testimony, Mr. Ruthenbeck responded to questions from the Board.

Neutral testimony was offered as follows:

Terry Scanlan with HDR Engineering testified the developers asked him to do several studies, and their initial study said there will be very little impact on surrounding wells. It also showed the water levels and although they fluctuate, they are stable in this area and are not falling or rising year over year. The developers want a public drinking water system so they provided what that would entail; two redundant community wells to serve the property with minimum capacity of 72 gallons per minute, with a maximum of 112 gallons per minute by IDWR standards. They will design a system with 100 gallons per minute. The average demand for 29 homes is much less because homes do not use that much water, they will use approximately 10-acre feet per year compared to the amount of water used for 3 acres of irrigation. There is not much use and most of it returns to the aquifer through septic drain fields. Monitoring shows that water levels rise from spring to fall, this is a surface water irrigated area and is the dominant driving factor on ground water supply. They hit a low point in April and hit a peak in September. Domestic-type demands will not impact neighboring wells. Water samples show naturally occurring arsenic concentrations exceed drinking water standards so they will go deeper and find lower concentrations. Following his testimony, Mr. Scanlan responded to questions from the Board. The uses by development do not really drive down water levels, but what does drive down levels is the reduction of recharge and as this area develops over time you will see reduced recharge. As farms go away there will be less and less recharge, there is still the same amount of water available but how that water is managed and where it provides recharge is going to change and water levels will probably go down in areas like this. Historically, before the irrigation came in the water levels in this area were 100-150 feet lower than they are now and they came up responding to irrigation recharge and as that irrigation goes away over the next 100 years they will start to decline. There is a permit for an agricultural well authorizing irrigation of 40 acres at 360 gallons permit and it's supplemental to the to the Boise Project water that's delivered from the Nampa and Meridian Irrigation District. There is an existing domestic well that is around 105 feet deep. There was further discussion regarding well monitoring and well construction.

The following people testified in opposition to the request:

DeWight Higel said despite being denied the applicants keep coming back with different proposals and now they are now proposing to give a building lot to the school district which seems like a quid pro quo situation. Other concerns include traffic, lot size, groundwater levels, and who will be the controlling authority over the community well to make sure it is operated and maintained properly. He is also concerned about the impact 29 septic systems will have on the soil where in an area that already has a problem with nitrates.

Larry Peterson lives adjacent to the subject property and his concerns include impacts to water, traffic, schools, and congestion. He said the developer has indicated they have overcome the water issues and there will be no impact traffic and the schools are happy, and the neighbors are happy, but nothing could be further from the truth. The pump study was done in late spring or early summer when the recharge was at its highest, and they only pump the well enough for domestic use, but that is the best case scenario - they need to pump a worst case scenario which is late summer early fall when the irrigation has been turned off and when the large lots want to continue watering their landscaping and they will pump 30-40 times more water than for domestic use. There are another 85 wells in the area that are pumping hard as well and there is a bigger problem. Mr. Peterson said the developer's proposal to the school helps very few students and the offer doesn't come close to mitigating the impact of the additional students this subdivision could add. There are 90 neighbors who are opposed to the development. Lastly, the P&Z Commission unanimously rejected this twice and he wants the Board to deny it as well.

Russ Johnson testified he has lived near the subject property for 17 years and is the HOA President of his subdivision and he is representing 9 property owners today. The average lot size in his development ranges from 2.8 acres to 6 acres and he believes the proposed lot size of 1.2+ acres is too small, and he would like to see the lot size at 3 to 5 acres to maintain the rural character of the area.

Mike Fast testified about his concerns regarding impacts to water, schools, traffic, and EMS response times. There are a number of items on the comprehensive plan regarding having services available at the property already for water, sewer, and gas but that is miles away and it will be at great expense before services reach the area. He feels the proposed lot size should be larger.

Curtis Kessel is strongly opposed to the project and is concerned about impacts to water and the potential of 29 septic systems being placed in a small area. He said the developer has proposed the neighbors could connect to the community well but gave no provision for how to accomplish that.

Jim Danes testified that he spent 44 years in the fire protection industry working with fire departments and said they will have specific requirements the developer will have to comply with. He agrees with the opposition testimony that has been given in relation to water and contaminants and said even though he is opposed to the request, we need to look at possible solutions. He said there is a neighborhood between Robinson and McDermott, on the north side of Amity does not have septic tanks or sewer, but they have a system with several tanks next to each other and it's

self-contained and the homes are piped to that system, and it goes through a process of breaking everything down so that when it goes back into the ground it's clean water. It has been said the City of Nampa will someday take it over and so that is a possibility for the area.

Ron Plummer said it seems like all of the problems that have been brought up could be solved if you could pass funding for the schools, and if they could have the water and sewage set up ahead of time, but they have 29 septic tanks and that's scary for those who have shallow wells. Given the funding and staffing problems the school district faces he questions whether they will be able to find people to help build the house referred to in the partnership. He said the infrastructure should be in place before development is allowed.

Tom Zahradnicek testified about the impacts to irrigation that will affect his father's property and the concern with placing septic tanks on solid lava. He has been in communication with the Nampa Highway District about putting a roundabout on the corner of Robinson and Locust where he owns 20 acres, and he said he would be willing to sell it and take this farm ground in the trade because he does not need all the money the land is worth at this time, there is plenty of land to build on. If the developers are hurting for land they could present a plan to him and take some of their land in trade because he wouldn't mind giving some to his son or grandson, and 15 years year down the road when the land is ready for development then they can develop it but at this point it's not ready and it will hurt the neighbors and everybody around it by putting this kind of density on property that sits on a lava field.

Ted Zahradnicek, whose property borders the subject property, submitted a letter of concern and he wanted to make sure the Board read it because it outlines his concerns about water, environmental issues, and transportation issues. (The letter is identified as Exhibit 13G that was received on February 1st). The field next to his property grows beets, corn, and, alfalfa. Irrigation is provided by the Pioneer Irrigation District, and he is not aware of any test holes or perc tests being performed. The well on the subject property has gone dry in the past and he is concerned about placing 29 septics on a lava field because they will run through his property and will create problems. Mr. Zahradnicek says the developer has been denied several times and he asked when does no mean no, and how many more times do the neighbors have to spend time testifying at hearings?

Sue Marostica testified that she sent an email requesting 10 minutes of testimony since she is representing a group. (*Staff did not indicate whether her email was received.*) With all of the comprehensive plans these are speculations and the property they want to build on is at the very edge of the impact areas so when the County puts together speculations they are making a best guess as to how things are going to develop and what's going to happen, but to bring in businesses or homes and plop them down in the middle of farmland when there are no services like water and sewer, and not allowing the schools to catch up, it doesn't seem fair to those who have to suffer the consequences. Another subdivision was approved behind her property about 15 years ago and those are 4-5 acre lots, but her well dropped and she had to lower it and they were fine for another 10 years, but 5 years before that both neighbors lost their wells and they had to go over 250 feet to reach water again. It goes up and down with the irrigation season, they are fine

in the summer, but in January and February they are at the lowest. She put together maps from IDWR and said KRON4 News did a national advertisement saying Idaho is one of the toxic states that is facing massive underground water issues. There are 60 aquifers in Idaho that are under groundwater watch and for 11% of them their decline has more than doubled in the last century. The Mountain Home area is critical, and Micron in Boise pumps 48 million gallons of water per day and so all of Boise and Garden City are in dire need. There is a spot between Boise and Meridian that used to be rural, and they allowed people to drop wells and septic, but no one can drill a well now because the water is contaminated. Up to within a half mile of her house are marked areas of concern where the withdrawals are causing or expected to cause serious problems. Almost all the neighbors are struggling with water and there is a water problem and a subdivision like this should not go in before city services are available. Commissioner Holton asked if the Board wanted to give her more time to speak, and Commissioner Van Beek asked if she has other nonrepetitive testimony she would like to share. Ms. Marostica said the only other testimony she had dealt with the schools, and she spoke to the Kuna City Council about it why are some developments approved and others are denied, and their response was when they write a letter to Kuna School District they do not get a response which means nobody cares and yet the school district cannot keep up with all the developments. Idaho is ranked 47th and it is dire, and the problem is not going to be fixed by bringing in more developments.

Brad Smith testified about his concerns with drinking water and contamination from 29 new septic tanks affecting those with shallow wells. The cost of drilling a new well can cost upwards of \$75,000 and he and the neighbors are concerned about that because they have had dry years where they've had to bring water in during droughts. Mr. Smith is concerned about the impacts to irrigation and access to/maintenance of his irrigation source as well as the health of his farm and the ability to keep feeding his animals and producing livestock.

Kimberly Smith testified that her concerns are about there being only one access into the subdivision, the safety of kids waiting at the bus stop, and the potential for noise that could be upsetting to farm animals. She has arsenic in her well and she filters it. Her well is 102 feet deep and was dug deeper by the previous owner because it went dry.

The Board took a break from 3:45 p.m. to 3:51 p.m.

Rebuttal testimony was offered by Hethe Clark:

Pressurized irrigation comes out of a canal, and there are two lines into a holding pond that charges over time which is what charges the irrigation system that avoids the fluctuation. The law requires them to maintain any historic conveyance of irrigation water to the neighboring properties, so they are not going interfere with any of the neighbors. They've had some conversations with Mr. Smith about his connection point and there's been a willingness on the developer's part to look at whether they can bring it closer to him. The Kuna Fire District has reviewed the proposal and provided initial comments. The developer will do an enhanced septic system, and they will have a nutrient pathogen study that will be reviewed by SWDH and DEQ. Regarding the bus stop, they have started conversations with the school and will provide a turnout

that will allow for a waiting area. The subdivision at buildout will add 16 students. It's a small project with small impacts and that's why a traffic impact study has not been required but they have done the additional work to provide counts to prove up the lack of impact on area roadways. Regarding the water system, they will be much deeper and not in the same aquifer so if there's an impact on area wells it won't be because of their community water system. The pump testing was done as irrigation came on and the worst-case scenario comes in August/September and the monitoring shows that after April the water levels went up 15-20 inches so when you hit the worst-case scenario later on in the irrigation season there is already 15-20 inches above what's shown on the tests. A community water system triggers additional DEQ regulations, and they have to go through the technical financial managerial process and identify a qualified operator to operate the system. It adds a level of complexity but also provides an additional layer of safety for the residents. As a showing of good will they have offered to allow the neighbors to connect to the system which they see as a similar model to what the cities use. The developer believes the proposed density preserves agricultural ground and notes that the City of Nampa wants the lot sizes to be smaller. Mr. Clark said forcing the property to remain in agriculture would be inconsistent with the comprehensive plan which says the area is designated as residential. The character of the area is mixed; there are 140 residential lots within the area, and the future planning in the area is residential. The project is also compatible with the agricultural uses in the area. The character of the area already has significant residential use, and this project is going to be low-density when the City of Nampa gets there. The developer has mitigated the impact with the community water system, and they have gone above and beyond with the voluntary commitment that they've made to the Kuna Scholl District. The developer has provided proposed conditions of approval that could be attached to a development agreement. If approved, they will bring the preliminary plat for the Board's review. Commissioner Holton said there was testimony about the basalt lava flow in the area and septic tanks are not viable in his opinion. Mr. Clark said this is a matter that DEQ and Southwest District Health will weigh in heavily on including the siting of each septic tank.

Tanner Verhoeks said they have completed a geotechnical study, and they have advanced test pits 10-12 feet deep in a couple dozen areas across the sites and they know the soil conditions. They've had a predevelopment meeting with SWDH who has reviewed the geotechnical report and their plan, and Atlas has prepared a level one nutrient pathogen study that has been given to DEQ for review. SWDH will also see it. In the case where you find a lot and you advance a septic and hit lava there are a few solutions: mounted systems, or you can blast the rock to get your percolation rates, and there is advanced treatment. There are solutions that are heavily regulated and so they felt comfortable pursuing this project after doing their due diligence early on to know that septic systems will be regulated and safe. There has not been testimony about septic fields failing in this area.

Mr. Clark said there will be multiple layers of protection and SWDH is also a signing authority on the plat.

DSD Director Minshall said the Board could table the decision and request more information, or additional time to review the geotechnical report or get confirmation from SWDH. Those items could be a condition of approval prior to the preliminary plat, we would have to have more detail

which is when they work out the exact siting. If we say septic has to be in compliance with SWDH that would come up during the plat phase. The Board can also ask for an expert to provide additional information about the soil to locate septic tanks in this area.

Mr. Clark said as part of the conditional rezone they are signing a development agreement and it runs with the property and it's important to get the conditions right at the appropriate stage and the type of data Chairman Holton is looking for is probably the type that doesn't typically come along until the preliminary plat phase and that's why the issue he is pointing to would be handled with a condition of approval that says SWDH has to sign off on the septic systems.

Commissioner Holton said the request is for a higher density than anything immediately around it and he doesn't have the data to know if the area can support 29 septic tanks.

Samantha Hammond testified that at the preliminary plat stage they have to go through SWDH, and beyond that when it gets to the final plat they have to write subdivision engineering reports and go through multiple levels of checklists and reports, and they have to clarify that data.

Director Minshall said there is criteria in a conditional rezone, and you have to address the ability to have essential services and if you do not feel there is enough evidence or you have conflicting evidence from testimony the Board can ask for additional information. She agrees with the applicant that it typically comes up at the preliminary plat phase, but what she hears the Chairman saying is it is a concern because of that essential services criteria and if we don't have enough information at that point it's within the Board's purview to ask for more. If there is uncertainty it's her preference it be tabled so staff can work with the developer and see what type of additional information or type of experts we could get to make sure before the Board makes a finding of that certainty it's found at the right rezone process.

Commissioner Holton wants the information before he goes into discussion. Commissioner Van Beek said she's heard enough testimony that she thinks the Board will either come to a decision after hearing the comments or it's going to be a moot decision because there won't be agreement and there will be a de novo hearing at that point.

Mr. Clark said they have provided a lot of the information the Chairman is looking for and it sounds like they should spend some time with staff and make sure it's packaged in a way that easier to digest. They would like to have a complete list of the items the Board would hold the public hearing process open for so they can make sure all the questions are answered. It would be cleaner to have the hearing closed after, or have it held open only for the purpose of that one report and then have the deliberation but if there are specific items they would like to have that back and forth with the Board today so they have the complete list of things to come back with.

Commissioner Holton is okay with closing testimony and instructing staff to work with the applicant on getting the information about soil depth and the viability of the septic systems and make sure it's a viable facility of service that's available on the property. Upon the motion of

Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony.

Commissioner Holton made a motion to request DSD staff and engineering to work with the applicant to provide viable information about the viability of 29 septic systems on this property, and how far they will migrate to any of the other surface wells that are immediately adjacent.

Commissioner Van Beek said the Board has to make positive findings for all eight criteria and she has concerns about two of them. Having lots sized so people can manage them does save agricultural ground. The purpose of the R-1 zone is promote and enhance predominately single-family living areas in a low-density standard but she doesn't think the Board can make an argument that this is a low-density residential area because most of the lots in the area would classify as rural living. She likes Mr. Verhoeks plan because he presented examples of what he would build in the area but said the secondary dwelling units are problematic. She said Canyon County is facing a crisis with EMS including our ambulance district. The Canyon County Sheriff's Office manages all 604 square miles and for these areas that are farther out the response times are of concern and if this becomes a subdivision this is potentially the beginning of the domino effect that would change the nature and character of the area. She recognized the concern about water, well issues, and sending kids into a crowded school environment and she doesn't believe the \$100,000 donation is going to cover what is required for the school infrastructure. There is no validation that going deeper into another aquifer is going to be better or worse, it's a point that's an unknown variable. She agrees you can make a rural transitional area, but she would eliminate the secondary homes. The County does not have jurisdiction over CC&Rs. There was no testimony about a failproof water system that would ensure that if that system goes down everybody in the subdivision is affected. Commissioner Van Beek said this is better than a high-density development, but she cannot overcome the fact that we cannot meet all eight criteria. The Kuna School District clearly stated they are at capacity.

Mr. Clark said some of the items Commissioner Van Beek brought up are not items they had an opportunity to discuss so would those items be part of the additional information Chairman Holton is requesting. Following discussion Commissioner Van Beek said she would like input from Kuna Fire, the irrigation district, Canyon County Sheriff's Office and the Canyon County Ambulance District as to what their resources are. Deputy PA Wesley said we need to lay out what questions we want to ask regarding the septic and other essential services and have those narrowed down in the motion. We are going to instruct DSD to send out request letters to fire, police, ambulance about their response times and we'll have the applicant respond to the septic issue and we will allow testimony on those limited areas to the public.

Commissioner Holton made a motion to continue the hearing to a date uncertain to obtain engineering details on the viability of septic systems with the concern of basalt, lava, or other form of rock that is just under the surface, and to solicit information from fire, police, and ambulance on the viability of their response times to this location. We will reopen the public hearing for only those

topics. The motion was seconded by Commissioner Van Beek. Director Minshall said the Board also brought up other items related to schools and the surrounding area. Commissioner Holton amended the motion to include the viability of the applicant's impact on the school district and we would keep it broad. Commissioner Van Beek said she wants the secondary houses to be completely off the table, we should not allow a higher density. Commissioner Holton amended his motion to include further discussion about the development agreement. The amended motion was seconded by Commissioner Van Beek and carried unanimously. Deputy PA Wesley said at the next hearing we will hear testimony on the limited issues and allow public comment on those issues, and we will go through the process. The hearing will be re-noticed. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to adjourn to an unknown date certain that will be advertised and listed for a future date. The hearing concluded at 4:52 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER TWO PURCHASE ORDERS FOR THE EMERGENCY MANAGEMENT OFFICE, AS APPROVED BY THE E-911 ADVISORY BOARD

The Board met today at 4:55 p.m. to consider two purchase orders for the Emergency Management Office as approved by the E-911 Advisory Board. Present were: Commissioners Brad Holton and Leslie Van Beek, Emergency Manager Christine Wendelsdorf, COO Greg Rast, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks arrived at 4:58 p.m. The purchase orders are as follows:

- Motorola Solutions for GIS software in the amount of \$9,681.89
- Bryx, Inc., for an alerting system for the Caldwell, Wilder, and Parma fire stations in the amount of \$201,000.00

Christine Wendelsdorf said on January 22, 2024, the E-911 advisory board approved two purchases, one was to update the GIS software for the Spillman system, and the second was for fire station alerting. In August/September they decommissioned the old microwave equipment off the radio towers and it disabled the fire station paging which is currently patched together with the backup system. They have worked with the fire departments and vetted a digital system that will put everyone on the same paging system. Canyon County will make the purchase for the first year with the \$2,500 recurring fee and the fire departments will be responsible for the \$2,500 fee the following years. There is fund balance in the E-911 fund to cover the cost. Commissioner Holton made a motion to authorize the purchase orders acknowledging that the Board does not know if it's in the current budget and if it is required towards the end of the year we will have to open the budget to move the dollar amount to spendable because it may or may not be in the spendable budget for this year. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 5:04 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 9, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Perennial Energy in the amount of \$8,646.48 for the Solid Waste department (PO #5911)

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 1:32 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 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, Judge Davis Vander Velde and Interim TCA Benita Miller. The Executive Session concluded at 1:39 p.m. with no decision being called for in open session.

Commissioner Leslie Van Beek joined the meeting at 1:44 p.m.

Following the executive session there was general discussion regarding the Magistrate Commission meeting that will be convened to decide the district public defender.

The meeting concluded at 1:45 p.m. and an audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 12, 2024

There were no meetings scheduled for today.

APPROVED NOVEMBER 2023 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of November 2023 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 DECEMBER 2023 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of December 2023 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.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 13, 2024

APPROVED CLAIMS

- The Board has approved claim 602864 TRAV in the amount of \$114.00

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- CDW-G in the amount of \$81,324.00 for the Fleet Department (PO #5949)

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 (left at 10:00 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Sheriff Kieran Donahue (left at 10:37 a.m.), Chief Deputy Sheriff Doug Hart, Lt. Brian Crawforth (left at 9:53 a.m.), Lt. Chad Harrold (left at 9:53 a.m.), Lt. Martin Flores (left at 9:53 a.m.), Lt. Travis Engle (left at 9:53 a.m.), Cpt. Harold Patchett (left at 10:37 a.m.), Fleet Director Mark Tolman (left at 9:53 a.m.), Facilities Director Rick Britton (left at 10:37 a.m.), Norm Brown with Rallens Realty (left at 10:37 a.m.), Assessor Brian Stender (left at 9:58 a.m.), Chief Deputy Assessor Joe Cox (left at 9:58 a.m.), Robyn Sellers with City of Nampa (left at 9:58 a.m.), Beth Ineck with BVEP (left at 9:58 a.m.), John Krueger with Colliers (left at 9:58 a.m.), Kyle Mackey with CPS (left at 9:58 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Approving Award of Officer's Badge and Duty Weapon to Deputy Mary Hoagland: Cpt. Patchett said this is standard procedure for an officer retiring in good standing. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving award of officer's badge and duty weapon to Deputy Mary Hoagland (resolution no. 24-024).

Consider Idaho Transportation Department Office of Highway Safety FFY 2024 Traffic Enforcement Grant Project Agreement (TEGPA): Commissioner Van Beek noted that she has a number of questions regarding this agreement. Although she is in favor of this she noted the financial contact needs to be updated and wanted to confirm that Deputy Jay Warren still manages the grant. CCSO is able to apply for funds based of deputy overtime hours for working focused campaigns such as DUI enforcement, reckless driving, impaired driving, etc. Commissioner Van Beek made a motion to continue this action item to Thursday, February 15th at 9:30. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider Subscription Services Agreement with Leads Online: Lt. Flores explained this service has been used by the Sheriff's Office for approximately 15 years as an investigative tool. This agreement renewal locks in the pricing structure for the 3-year term. Legal has no issue with the contract and IT has no issues with the software. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with Leads Online (agreement no. 24-014).

Consider RE-13 Seller's Counter Offer relating to purchase of 1212 Albany St., Caldwell, Idaho: Mr. Ericson explained the original purchase agreement failed to include the legal description and the selling agent thought this was the best way to correct that.

Consider Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards form relating to purchase of 1212 Albany St., Caldwell, Idaho: This is a standard form when selling properties.

Consider RE-25 Seller's Property Condition Disclosure Form relating to purchase of 1212 Albany St., Caldwell, Idaho: This form discloses the condition of the property.

Mr. Ericson reviewed with the Board the places on each document that needed signatures and where initials of each Board member needed to be placed. Commissioner Holton made a motion to authorize signatures and initial pages for RE-13 seller's counter offer, disclosure of information on lead-based paint and/or lead-based paint hazards and RE-25 seller's property condition disclosure form relating to purchase of 1212 Albany St., Caldwell, Idaho. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider a Resolution Consenting to the Sale of Surplus County Property: Director Tolman said Adams County has reached out and are in need of some vehicles. He has valued them thru JD Power and Adams County has accepted the price. He feels that selling them at auction wouldn't be any more financially beneficial.

Consider Notice of Online Public Auction: This will allow 21 surplus vehicles that are beyond their usefulness be sent to auction.

Commissioner Van Beek made a motion to sign the resolution consenting to the sale of surplus county property. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-027).

Commissioner Brooks made a motion to approve the notice of online public auction. The motion was seconded by Commissioner Van Beek and carried unanimously.

Mr. Rast noted that any monies coming back from the sale of surplus property will go back into the appropriate revenue line.

Public Meeting to Consider Resolution Granting Critical Process Systems Group, Inc. a Property Tax Exemption Pursuant to Idaho Code 63-602NN and to consider the action Item of a Resolution Granting Critical Process Systems Group, Inc. a Property Tax Exemption Pursuant to Idaho Code 63-602NN: Legal has reviewed this exemption and it the meets all criteria for an exemption to be granted. Mr. Cox noted that there are existing buildings in place valued at approximately \$76M which will not qualify for the exemption. However, the exemption will include any of the tenant improvements to the currently vacant buildings and to equipment. Commissioner Van Beek made a motion to sign the resolution granting a tax exemption for Critical Process Systems Group, Inc. pursuant to Idaho Code 63-602NN. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-026).

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 10:00 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. 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, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Cpt. Harold Patchett, Facilities Director Rick Britton, Norm Brown with Rallens Realty and COO Greg Rast. Sheriff Donahue, Chief Hart, Director Britton and Mr. Brown left the executive session at 10:37 a.m. The Executive Session concluded at 10:41 a.m. with no decision being called for in open session.

Commissioner Holton made a motion to continue the executive session to 3:45 p.m. today. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 10:41 a.m. and 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 10:42 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. Ms. George presented the following cases for Board consideration:

Case no. 2024-12: This case 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. 2024-11: Following the investigation by Indigent Services, Ms. George feels this case may be appropriate for public administration as there appears to be a home and several vehicles. Commissioner Van Beek made a motion to deny the case as the county is not the payer of last resort and there are options for probate. Commissioner Brooks seconded the motion which carried unanimously.

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

CONSIDER RESOLUTION TO APPROVE TWO POSITIONS THAT WERE INCLUDED IN THE FY24 BUDGET FOR THE ELECTION'S OFFICE

The Board met today at 10:52 a.m. to consider a resolution approving two positions in the Election's office. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Elections Office Manager Haley Hicks, HR Director Kate Rice, HR Business Partner Kendra Elgin, COO Greg Rast and Deputy Clerk Jenen Ross.

Clerk Hogaboam spoke about how these positions, an Elections Specialist position and a GIS Analyst position, were approved in the FY24 budget and he is looking forward to getting them posted and filled. Commissioner Van Beek made a motion to sign the resolution for an Elections Specialist and a GIS Analyst for the Canyon County Clerk's Office, PCNs 577 and 578. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-025).

The meeting concluded at 10:56 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER AN APPEAL BY ATLAS TOWER 1, LLC OF A CONDITIONAL USE PERMIT, CASE NO. CU2023-0005-APL

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of the appeal by Atlas Tower 1, LLC, of the decision by the Planning and Zoning Commission's denial of a conditional use permit to construct a telecommunication facility including a 100' monopole, Case No. CU2023-0005-APL. Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy PA Zach Wesley, DSD Principal Planner Dan Lister, Planning Supervisor Carl Anderson, In Favor: Michael Powers, In Opposition: James Thompson, Joseph Stone, Bonnie Mull, Lennie Mull, Victor Satskiy, Maryon Slovik, Dana Nickens, Joshua Shimanovsky, Patty Mathis, Kendra Rogers, Ken Kikta, Pat Kikta, Linda Thompson, Neutral: Robert Sturgill, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks was not present for today's hearing as he was testifying before the Idaho State Legislature. Neither Commissioner Holton or Commissioner Van Beek had any disclosures or declarations to make.

Principal Planner Dan Lister gave the oral staff report. Atlas Tower 1, LLC, has filed an appeal for a conditional use permit to construct a telecommunication facility which includes a 100' monopole, which will be *designed* as an Evergreen Pine Tree within a boundary of 2500 square area, with access off Lone Star Road in Nampa. This is 70-acre property created as an agriculture-only property, per the Canyon County Code. The P&Z Commission was unable to make findings for Criteria 4: Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area? They found the placement of the facility would negatively impact the surrounding area as well as property values. Options for approval would be to propose different site locations that do not directly impact the value or other surrounding impacts to the neighborhood. The property abuts City of Nampa jurisdiction, and it's in a very dense residential area with 115 platted subdivisions within a one-mile radius. The property is prime farm ground if irrigated. The Canyon County Comprehensive Plan shows the property to be agriculture, but the City of Nampa's comprehensive plan shows it to be a medium-density residential and residential mixed-use area. On October 20, 2023, the applicant appealed the P&Z Commission's decision with the following reasons: The use of injurious impacts to the properties. Interpretation of injurious was not found and so therefore the decision was not based off reliable facts, evidence, or reports. They also found the testimony was based on RF propagation and human health. They also found the decision was arbitrary and capricious in that there are similar facilities approved within the area that are recent decisions that are very similar with the same amount of information provided for that decision, and found the denial denies coverage which is a violation of the Telecommunication Act of 1996. Mr. Lister said we do not have a definition for the word injurious, but the Commission has the power to determine those findings to determine if it will be injurious. A lot of the opposition deals with the proximity to existing residences, and with the monopole being an evergreen tree which would stand out because there aren't any evergreen trees around that area. A lot of the testimony about property value came from Mr. Stone's property where it was demonstrated it is an investment property and they were going to develop the property until this application came to light which impacted his ability to do the development he wanted. There was further testimony about decreasing property values. Mr. Lister said the denial was not based off RF propagation and human health. The P&Z Commission let the audience know that they cannot make decisions on RF emissions and human health because it's against the telecommunications act. The minutes are very clear that

the decision was not made off the RF emissions or human health. He reviewed similar cases where the Board upheld the P&Z Commissioner's denials. Staff found that the Telecommunications Act of 1966 allows local government to regulate the placement, construction, and modifications to wireless facilities. The P&Z Commission found that the placement was injurious. He reviewed the case law for providing site alternatives and coverage gaps and said in this case the applicant did not provide that. The P&Z Commission asked the applicant to provide more alternatives than just the location that's listed in their lease agreement, and it's such a large parcel it can be in multiple locations. The request can be denied based on not having information about where this facility is going to be located. There was a review of the letters of opposition which addressed concerns regarding impacts to property values, health risks, viewshed, tower design and proximity to existing residences. Agencies submitted standard conditions they would want to apply to the tower if approved.

The following people testified in support of the request:

Michael Powers testified he is representing the applicant, Atlas Tower 1, LLC, by partnership with AT&T as the first co-locator expected on the project based on contractual agreements with that company. He provided an overview of how they chose this location. When Atlas works with a mobile network operator they get a search ring, a circle on map and that is the location where if equipment can be installed within that circle they will be able to accurately fix or augment their network in a way decided by engineering. They had very few options in this area as most parcels are not agricultural, commercial or industrial, they are residential. All residential lots were removed. Another issue was willing landowners which further reduced their options. For the search ring they worked on for AT&T there was only one option, and it is a large agricultural parcel which the code allows to be potentially approved for this use. It was not a blanket permission to put the equipment anywhere though, the landowner wants to continue to use and retain the agricultural use and the idea was to minimize the impact by putting it in the selected area. There are canals and other obstructions that made this parcel difficult to work with and they worked with staff to bring the best location to the table. They did not bring alternative locations because they were told if it couldn't go within this area they would not move forward. Atlas Tower's application was heavily vetted with staff and there were many requests and they worked for six months before going to hearing. They tried to bring compliance to the code and to the extent that this is a special use permit, and they are guessing what would be agreeable and what would not, they made some subjective decisions and presented it to the hearing body. They went through every division of government - fire, safety, water, electrical, and they had approval from all of the departments on the proposed hearing criteria. Mr. Powers spoke of the criteria that is used and said it comes down to whether the project is injurious or will change essential character of the land in the area. The definition of injurious has not been formally adopted within the code, but in the plain meaning of the word injurious is whether the health, welfare, and safety is not compromised. We have the word injurious stretched to consider some things that are not guaranteed by the County; for instance, this agricultural land is probably going to turn into mid-density housing and when that proposal comes through he suspects the word injurious is not going to be used to stop the project. It seems like this project is being called out for a new definition of injurious. There is no guarantee in the code or state law for having a neighboring use in a different

zoning district would not change the value of the property, good or bad. That is not proper criteria when deciding whether to approve or not approve the project. Additionally, there was a lot of conversation about human health safety and the acknowledgment that the things like whether this technology is safe for people should not be considered in the decision, but he believes the way the word injurious was used in terms of denying the request and combined with most of the testimony using the same definition of injurious as injurious to their health. Most of the comments were geared toward the kind of testimony that should not be considered and it is not in the purview of this body to look at that. The decision was influenced by that testimony. AT&T worked with Atlas' staff for many months because they have a specific network issue in this area, and they gave a search ring that crunched them into this one parcel. There was a need and a desire to spend over a million dollars once the project is done to fix that. They were not able to deliver to AT&T an alternative. They could not bring three options, they had one. A pine tree was an option and they could place other real trees around it to augment it.

The following people testified in opposition to the request:

James Thompson testified about the environmental dangers associated with placing a cell tower at this site. The applicants have said they will have 2-3 tanks of gasoline and a 1-gallon spill can contaminate over 1 million gallons of water. Lake Lowell is nearby and there are canals in the area and if there is a spill it could contaminate the area's aquifers and residential wells. A limited liability company means they will not have to pay for a lot of the damages, so that means the cities of Nampa or Caldwell will have to pick up the damages for the contaminated water impacts.

Joseph Stone testified that while a cell tower may be needed to provide better service for the area the proposed location has the largest negative impact to his lot and will cause a drop in overall value for the property and the direct neighbors to the west. The parcel is large with few homes located next to most of its borders. Studies show that cell towers have a negative effect on values between 650-1,000 feet of the property and both his and the neighbors' properties fall within that radius. His estimated value of impact is in the \$184,000 range. The developer should be asked to find a new location with a lower impact to neighboring properties. The current location was chose to ensure the impact was lowest to the developer and the parcel owner, but it shifts the financial loss to the neighbors.

Bonnie Mull testified that the monopole will be directly behind her backyard, and she urged the Board to follow the P&Z Commission's decision and deny the request due to the negative impact it would have on the surrounding property values. There are three towers to the northwest of the proposed site, but they are on the hill and away from the residential area. It is not a good fit to place the facility close to homes and it would be injurious in terms of value and beauty.

Maryon Slovik testified that while he understands the benefits for a tower in the community, he believes there are significant concerns that need to be addressed such as the impact to the property values and the resale value of homes in the surrounding neighborhoods. It appears the landowner and AT&T will benefit while the neighbors will lose. He has a certified family home and believes if there is a tower behind his house it will affect people bringing their loved ones to his

home thereby harming his business due the potential risk to immunocompromised senior citizens in his care.

Dana Nickens agrees with the opposition testimony. He received a flyer stating the facility will provide a co-location leasing of space to other service providers, but finds that concerning because he doesn't know what the other service providers are. The maps do not show there's a school kiddy corner to the proposed tower location, which has quite a bit of traffic and so if there are other service providers it will increase the traffic such that it will create more risk in a high traffic area. There is an unknown about what is going to happen if other service providers are co-leased to the property as well.

Joshua Shimanovsky testified about the following concerns: potential fire risk at the tower and maintenance issues at the site, an unsightly monopole will stand out in the area, and negative impacts to property values. He stated the neighbors are not aware of any cell coverage issues in the area.

Kendra Rogers testified she would not have purchased her home had she known a cell tower would be so close because it's an eyesore and will negatively affect her property values. She also believes cell towers are detrimental and damaging due to the health dangers they pose.

Rebuttal testimony was offered by Michael Powers. Regarding concerns of gas spills and pollution, the National Environmental Policy Act study was completed on the site, and they have very rigorous accounting for any sort of potentially responsible pollution. All the permits for backup generators will be submitted and managed by the carrier and so if they chose to put that type of infrastructure on the site they would maintain it. Typically, the generators are a hybrid system with a small generator with a battery bank inside the compound and away from the elements. It is possible to not use liquid gas if natural gas is available. Furthermore, if the County decided they did not want to have liquid gas on telecom sites they could regulate it in that manner and that would shorten the time in which these could operate in an emergency. The amount of gas for these generators is probably comparable to what the average farmer has in their buildings, it's not a new issue, but it's an issue they take seriously, and they follow the regulations. Generally, all sites have a plastic bathtub underneath the generator to catch any spills. Regarding economic impact concerns, the use of injurious and the way it was interpreted for the original hearing denial was improper. There are antennas all over the place and residential locations are high on the list of where consumers want their phone to work. Regarding co-locating, Mr. Powers said all of the sites are designed to house additional equipment, so you don't need to build a new tower if another carrier wants their network to also broadcast from that location. Using one structure to support the development and efficacy of more than one company's network is a good thing. It would not change the tower; it would add equipment hidden in the branches and there would be some equipment on the ground that you probably wouldn't see because it would have a 6-foot fence. It's more likely a lack of cell coverage in the event of an emergency is more likely to create a benefit if there is a functional connection to the network for phone calls in that area. Maintenance of the site is a shared obligation between the tower owner and the carrier and in the last 10 years the major companies have become sophisticated about how they manage

maintenance. Mr. Powers said Atlas worked diligently with Joseph Stone because he was interested in having a tower on his site but they moved away from his parcel because it was residential and they knew there was no chance they would get approval and from the point where they stopped working with Mr. Stone because his parcel didn't have the right zoning he became adverse to the project. Commissioner Holton had follow-up questions for Mr. Powers regarding maintenance of the tower/site.

Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to close public testimony. The Board's deliberation was as follows:

Commissioner Van Beek referred to other cases where they had a secondary site analysis and gap coverage analysis, and a NEPA report and that was a glaring omission in this staff report. The Board cannot predicate a decision based on health effects; however, the perception is that fear sometimes drives decisions in a community and if a property owner is unable to sell - whether their perception is real or perceived - it does affect the value of the property. There is a notice indemnifying Atlas from the cell tower being located in that proximity but it does not provide any protection for the residents that might be injured. There is a wedding venue in the area that owner may argue the tower is problematic in terms of what they offer their clientele. She is in favor of upholding the P&Z Commission's denial and denying the appeal. Commissioner Holton said the applicant did not make any convincing testimony that the P&Z Commission had based partly their decision on the RF energy and the health issues, and both DSD staff and the Commission Chairman made it clear they could not consider that. He does not see the decision was arbitrary and capricious. He asked for engineering details of the current coverage and how the tower would augment it but that is missing. He cannot support overturning the P&Z Commission's decision and he concurs with their findings of fact and conclusions of law. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to deny the appeal and uphold the P&Z Commission's decision in Case No. CU2023-0005-APL as presented. Chairman Holton recommended the applicant consider re-siting the tower somewhere else. Commissioner Van Beek added that the absence of information was not favorable for the application. There are maps on coverage and those metrics are available, they just weren't available in this decision. Staff will prepare the FCO's and bring them to the Board at a later date. The hearing concluded at 2:52 p.m. An audio recording is on file in the Commissioners' Office.

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

**Note - The Executive Session was continued from this morning.*

Commissioner Van Beek made a motion to go into Executive Session at 3:48 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss 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 with Commissioners Holton and Van Beek voting in favor of the motion to enter into Executive Session. The motion

carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, and Deputy PA Zach Wesley. Commissioner Zach Brooks arrived at 3:57 p.m. The Executive Session concluded at 4:35 p.m. with no decision being called for in open session.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 14, 2024

There were no meetings scheduled for today.

APPROVED CLAIMS

- The Board has approved claims 602865 to 602867 in the amount of \$1,248.00
- The Board has approved claims 602868 to 602903 in the amount of \$76,871.30
- The Board has approved claim 602904 ADV in the amount of \$18,584.30

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Marv's Insulation in the amount of \$7590.00 for the Facilities Department (PO #5928)
- Absolute Software, Inc. in the amount of \$10,146.80 for the E911 Advisory Board (PO #5892)
- Kirk Auto Co. in the amount of \$45,188.00 for the Fleet department (PO #5951)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Andrew Souza, Deputy Sheriff, lateral new hire
- Caroline Kelso, Deputy Sheriff, new hire
- Doug Woods, Deputy Sheriff, new hire
- Dolan Adams, Deputy Sheriff, received intermediate POST Certificate

APPROVED CLAIMS

- The Board has approved claim 602906 ADV in the amount of \$236,788.00

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 (left at 9:51 a.m.), Deputy P.A. Alex Klempel (left at 9:45 a.m.), Facilities Director Rick Britton (left at 9:41 a.m.), Clerk Rick Hogaboam (left at 9:57 a.m.), Elections Office Manager Haley Hicks (left at 9:51 a.m.), Elections Specialist Robin Sneegas (left at 9:51 a.m.), Fair Director Diana Sinner (left at 9:37 a.m.), Lt. Brian Crawford (left at 9:45 a.m.) and Deputy Clerk Jenen Ross.

Consider Addendum for Canyon County Laundry Equipment & Installation Project: The addendum acknowledges that no questions or comments have been received. The next step in the process is to receive bids which is scheduled to happen on February 20th. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the addendum for Canyon County Laundry Equipment & Installation project.

Consider Declaration and Notice of Sole Source Procurement for New Customized Swine Pen Equipment: Director Britton explained they have chosen to proceed with sole source procurement to ensure the new equipment matches the current show ring and will be compatible. Director Sinner spoke more about how the equipment works and how the flexibility will be very beneficial. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the declaration and notice of sole source procurement for New Customized Swine Pen Equipment.

Consider Invitation for Bids for the Elevator Modernization Project; and Consider Legal Notice Inviting Bids for the Elevator Modernization Project: Director Britton said the current elevators are from 1974 and are starting to fail. Along with the elevators being brought up-to-date it will also bring them up to state code. The modernization will not be proprietary in an effort to make maintenance and repairs easier. There are 12 elevators throughout the campus that will need updated. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice inviting bids for the Elevator Modernization project and to consider the Invitation for Bids document for the Elevator Modernization project.

Consider Idaho Transportation Department Office of Highway Safety FFY 2024 Traffic Enforcement Grant Project Agreement (TEGPA): Ms. Klempel addressed questions previously posed by

Commissioner Van Beek regarding the financial signature line and the section regarding drug-free workplace compliance. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Idaho Transportation Department Office of Highway Safety FFY2024 Traffic Enforcement Grant Project Agreement (TEGPA). See agreement no. 24-016).

Consider Caldwell Elks Lodge Room Rental Agreement: Ms. Hicks has done a site visit and feels the location is adequate. The agreement may still need signatures from an Elks Lodge representative, with transitions happening within the Clerk's division they are still working to locate a copy that may already be signed, however there are no changes to the terms of the contract. Clerk Hogaboam spoke about how there is potential of a 3rd early voting location; \$5000 was allocated for early voting and with approximately \$5800 already expended but they are confident there are other savings in the 'B' budget and overall this will be cost neutral. Mr. Ericson noted that within the contract, section 17, there is no need for initials as the County will provide a certificate of insurance. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Caldwell Elks Lodge Room Rental agreement (agreement no. 24-017).

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 9:52 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 and Chief Deputy P.A. Carl Ericson. Clerk Rick Hogaboam participated from 9:52 a.m. to 9:57 a.m. The Executive Session concluded at 10:32 a.m. with no decision being called for in open session.

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

MEETING 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, DSD Office Manager Jennifer Almeida and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution issuing a refund to LinkUs Energy for an unnecessary building permit, BP2024-0057: No in-house work was done for this permit; however, an inspection was requested and an

inspector did go out to the site prior to know the customer had cancelled the job. In order to recoup the cost of the inspector visiting the site DSD felt \$50 was sufficient and per the adopted fee schedule 80% of the building permit fee can be refunded. DSD is recommending a refund in the amount of \$454.00. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution issuing a refund to LinkUS Energy for an unnecessary building permit, BP2024-0057 (resolution no. 24-028).

Consider a resolution issuing a refund to Jake McCracken for a withdrawn road name change application, RD2024-0002: This case was assigned to a planner but only a small amount of time was spent on the project. The applicant decided to withdraw the application as they were not able to get everyone in agreement on the road name change. Approximately 15% of the fees were used and DSD is recommending a refund \$467.50. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution issuing a refund to Jake McCracken for a withdrawn road name change application, RD2024-0002 (resolution no. 24-029).

The meeting concluded at 10:38 a.m. and an audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 16, 2024

COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Jeff Foreman.

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 3/1/24.

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 9:30 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation (Yanecko vs. Canyon County, Case No. CV14-23-03269). 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. The Executive Session was held in the Prosecutor's Office conference room which is located on the third floor of the Canyon County Courthouse. Present were: Commissioners Brad Holton, Zach

Brooks and Leslie Van Beek, Deputy PA Zach Wesley, Deputy PA Alex Klempel, and DSD Director Sabrina Minshall. The Executive Session concluded at 10:22 a.m. with no decision being called for in open session.

MEETING TO CONSIDER RE-50 DELAYED RENTAL AGREEMENT FOR 1212 ALBANY STREET

The Board met today at 10:29 a.m. to consider RE-50 Delayed Rental Agreement for 1212 Albany Street. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson and Deputy Clerk Jenen Ross. Mr. Ericson said this is the final document relating to the purchase of 1212 Albany St. This home is owner occupied and they will be allowed to stay until May 31, 2024 for a cost of \$3.00. In regard to insurance, the county will not be insuring the property against fire, that has been struck-through in paragraph 5 and Mr. Ericson asked for the Board to initial. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the RE-50 Delayed Rental Agreement for 1212 Albany Street (agreement no. 24-018). The meeting concluded at 10:33 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSES FOR OVATIONS FOOD SERVICES, LP DBA OVG HOSPITALITY

The Board met today at 11:31 a.m. to consider a resolution approving alcoholic beverage licenses for Ovations Food Services, LP dba OVG Hospitality. Present were: Commissioners Leslie Van Beek and Zach Brooks and Deputy Clerk Jenen Ross. There are two separate licenses as there are two locations – the Nampa Civic Center and the Ford Idaho Center. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving alcoholic beverage licenses for Ovations Food Services, LP dba OVG Hospitality. Commissioner Van Beek made a motion to adjourn. The meeting concluded at 11:32 a.m. and an audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 20, 2024

APPROVED CLAIMS

- The Board has approved claims 602943 to 602963 in the amount of \$13,773.00
- The Board has approved claims 602964 to 602986 in the amount of \$18,416.53
- The Board has approved claims 603114 to 603161 in the amount of \$37,918.07
- The Board has approved claim 603162 ADV in the amount of \$28,691.58

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

The Board met today a 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 (joined at 10:05 a.m.), HR Director Kate Rice, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, DSD Director Sabrina Minshall, Engineering Coordinator Stephanie Hailey (left at 9:36 a.m.), Chief Deputy Sheriff Doug Hart (left at 10:05 a.m.), Cpt. Ray Talbot (left at 10:05 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

The action items were considered as follows:

Open Bids for Canyon County Laundry Equipment & Installation Project: No bids were received for this project. Director Britton will work with legal on the next steps forward; Mr. Wesley suggested the next step may be to go to open market.

Consider Avolve ProjectDox ePlan Renewal Agreement: The cost of the annual renewal is \$41,400. The building side of this program, which allows building plans to be uploaded thru the website, is up and running and the planning portion is still being worked on. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Avolve ProjectDox ePlan Renewal Agreement (agreement no. 24-019).

Information has been recently received regarding the new CCSO building indicating that instead of the estimated \$24M needed to build the facility it is now estimated at \$36M. Chief Hart feels there is a solution but input is needed from the Board. At approximately 9:40 a.m. the Board started to review of the blueprints and at 9:43 a.m. chose to go off the record to review them administratively stating that any decisions needed would be agendized for Board consideration. The Board went back on the record at 10:04 a.m. Commissioner Holton stated that there were no decisions and the Board is requesting the builder to review numbers and to come back with additional information.

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 10:05 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, Deputy P.A. Alex Klempel and COO Greg Rast. HR Director Kate Rice, Facilities Director Rick Britton and Assistant Director for Facilities Carl Dille participated from 10:05 a.m. to 10:20 a.m. Deputy P.A. Zach Wesley and DSD Director Sabrina Minshall participated from 10:20 a.m. to 10:46 a.m. The Executive Session concluded at 10:46 a.m. with no decision being called for in open session.

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

MEETING TO CONSIDER CERTIFICATES OF NONCOMPLIANCE AND RELEASES OF CERTIFICATES OF NONCOMPLIANCE FOR PUBLIC NUISANCE, ZONING, AND/OR BUILDING VIOLATIONS

The Board met today at 10:47 a.m. to consider certificates of non-compliance and releases of certificates of non-compliance for public nuisance, zoning and and/or building violations. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur, DSD Director Sabrina Minshall, Sr. Administrative Specialist Pam Dilbeck, COO Greg Rast (left at 11:01 a.m.) and Deputy Clerk Jenen Ross.

Mr. Arthur provided a review and information about each of the properties

Releases of certificates of non-compliance:

- 22504 Eel Lane, Middleton, Parcel No. R25378010
- 0 Notus Road, Caldwell, Parcel No. R36103012

Commissioner Van Beek made a motion to release the certificates of non-compliance. The motion was seconded by Commissioner Brooks and carried unanimously.

Certificates of non-compliance:

- 6472 Cherry Lane, Nampa, Parcel No. R30746 – violation of the zoning ordinance
- 5971 3rd Avenue, Nampa, Parcel No. R17038 – public nuisance violation
- 17465 Lewis Lane, Caldwell, Parcel No. R30024012 – zoning and building violations

Commissioner Van Beek made a motion to issue certificates of non-compliance on the parcels as reviewed. The motion was seconded by Commissioner Brooks and carried unanimously.

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

ACTION ITEM: CONSIDER RESOLUTION APPROVING THE SALARY CHANGE AND JOB DESCRIPTION UPDATE TO THE CONTROLLER POSITION IN THE AUDITING OFFICE

The Board met today at 2:30 p.m. to consider a resolution approving the salary change and job description update to the Controller position in the Auditing Office. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Clerk Rick Hogaboam, HR Director Kate Rice, HR Comp/Benefits Manager Bosco Baldwin, Sr. Systems Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. Clerk Hogaboam said although the Controller position had a funded amount but was not technically graded so HR recommended assigning a grade to it with an appropriate salary range. The approved amount for the Controller PCN is lower than what HR is recommending it come up to, however, the Chief Deputy/Controller position was a grade higher. He said Mr. Wagoner had been compensated at an amount that's reflected in the funding project cost so his

hope is to be budget neutral between this hire and the eventual hire of a Chief Deputy with whatever the offsetting amounts are between the two positions. Commissioner Holton noted the position has existed for several years and was never filled which is why there was no classification. Director Rice said it has been vacant and funded since 2018. Commissioner Van Beek said she understands the Clerk to say the Controller/Accountant, whoever is put in for that financial analyst position, is really the key position he is focusing on right now. Clerk Hogaboam said that is the key position and most important to his office and the County is to have a competent Controller who preferably has some governmental accounting experience. The Chief Deputy position would then be the unfilled position. He will net out what the difference is to know what the remaining budgetary capacity is to hire that position, but hiring a Chief Deputy is a lower priority right now. He plans to staff the Elections Office and hire a Controller and find out what the best value would be in a Chief Deputy. Commissioner Van Beek said from discussions the Board has had with Clerk Hogaboam leading up to this point, it's her understanding the Chief Deputy potentially would help with oversight for elections and not the budgeting process and that is critical in her mind because we need that level of expertise and financial accounting in the Controller position to help with the budgeting process and assess long-term strategic needs financially for the County. She is happy to see the Clerk is borrowing from the Chief Deputy position which she said was the highest paid position in the State of Idaho. Commissioner Holton said it wasn't the highest paid position in the state, it was the title. In response to a question from Commissioner Van Beek, Clerk Hogaboam said his memo reflects the currently funded capacity for the Chief Deputy position and what's not being considered is the re-grading of that right now. The range that HR recommends for the Controller position would be higher than what it was funded at, but there will be a vacancy in the Chief Deputy position and his intent is to not hire at that amount. It will probably come down by an amount equal to where it nets out the difference. The PCN was \$85,000 for the Controller and \$138,000 for the Chief Deputy and when you combine those together that's the budget capacity he is trying to operate under. He will hire the Controller and see what's left over. There could be an emphasis on the Chief Deputy to focus on elections, they could maybe be more of an administrative generalist, they might have a little involvement with the budgeting process or it could be more the Clerk and Controller. There is another position in the Elections Office which was recently vacated and part of the reorganization is to figure out how that existing budget capacity for one the positions can be reallocated. It's possible they will post another position to backfill what's already budgeted in the Elections Office for the third position but he's still trying to figure out how to structure the Elections Office. Commissioner Holton said the important point is the Clerk is not exceeding his "A" budget and he will operate the rest of the year within the "A" budget regardless of what he is going to do. He is not creating a new and higher expense than what was budgeted for. Commissioner Van Beek said the Clerk can back up the information with a wealth of information from his experience in government as the chief of staff for Nampa. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve resolution for the salary change and job description update to the Controller position in the Auditing Office as presented by the Clerk and HR. The position will be posted today. (Resolution No. 24-031.) The meeting concluded at 2:40 p.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 3:38 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, Leslie Van Beek and Zach Brooks, COO Greg Rast, Steve Kraft and Craig Stacey. The Executive Session concluded at 4:31 p.m. with no decision being called for in open session.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 21, 2024

There were no meetings scheduled for today.

APPROVED FEBRUARY 23, 2024 PAYROLL

- The Board approved the February 23, 2024 payroll in the amount of \$2,299,966.38

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI in the amount of \$5,100.31 for the Information Technology Department (PO #5976)
- Alliance Laundry Equipment in the amount of \$174,205.00 for the Facilities Department (PO #5929)
- LN Curtis (Curtis Blue Line) in the amount of \$12,936.00 for the Sheriff's Office (PO #5834)

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 22, 2024

APPROVED CLAIMS

- The Board has approved claims 603209 to 603253 in the amount of \$27,727.23
- The Board has approved claims 603254 to 603298 in the amount of \$170,046.36
- The Board has approved claims 602907 to 602942 in the amount of \$17,953.16
- The Board has approved claims 602987 to 603028 in the amount of \$105,601.14
- The Board has approved claims 603299 to 603346 in the amount of \$269,759.37
- The Board has approved claims 603163 to 603208 in the amount of \$48,007.51

CONSIDER RESOLUTION AUTHORIZING TRANSFER OF EXCESS SALE PROCEEDS TO PARTIES IN INTEREST AND STATE TREASURER

The Board met today at 9:02 a.m. to consider a resolution authorizing the transfer of excess sale proceeds to parties in interest and the State Treasurer. Present were: Commissioners Leslie Van Beek and Brad Holton, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys (arrived at 9:04 a.m.), Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Other interested citizen and Deputy Clerk Jenen Ross. Treasurer Lloyd explained this is a continued part of the tax deed sale process. Commissioner Van Beek made a motion to sign the resolution authorizing the transfer of excess sale proceeds to parties in interest and to the State Treasurer. The motion was seconded by Commissioner Holton and carried unanimously. See resolution no. 24-032.

The meeting concluded at 9:05 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 9:33 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Director of Indigent Services Yvonne Baker (left at 9:33 a.m.), DSD Director Sabrina Minshall and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing a Resolution Classifying Records of the Canyon County Clerk and Authorizing the Destruction of Indigent Files and Records: This is just routine records destruction and Director Baker said this will be the last destruction of physical files for Medical Indigency that are stored in the jail annex facility. She noted that these files are from 5 years ago and that files are now stored digitally. 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 the destruction of Indigent files and records (resolution no. 24-032).

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 9:33 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 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 and DSD Director Sabrina Minshall. Deputy P.A. Laura

Keys participated from 9:33 a.m. to 9:58 a.m. The Executive Session concluded at 10:24 a.m. with no decision being called for in open session.

The meeting concluded at 10:24 a.m. and 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 10:30 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Brad Holton, Director of Indigent Services Yvonne Baker, Case Managers Kellie George Jenn Odom and Deputy Clerk Jenen Ross. Commissioner Zach Brooks joined the meeting at 10:46 a.m.

Case nos. 2024-14 and 2024-16: Both of these cases meet all eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to issue approvals for both cases with written decision within 30 days.

Case no. 2024-13: An application with limited information was submitted by the funeral home and following investigation by Indigent Services the decedent does not appear to be an Idaho resident, from what they've discovered it appears the decedent is a resident of Las Vegas, NV. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to deny the case.

Case no. 2024-15: An application with limited information was submitted by the funeral home and Canyon County has been established as the obligated county. The decedent doesn't appear to have anyone to advocate on their behalf however Indigent Services has discovered there appears to be an apartment full of items, 2 vehicles and a bank account where benefits were deposited. Indigent Services feels this case is appropriate for public administration. In totality there appears to be enough in assets to cover the cost of cremation and the decedent is not considered indigent. Commissioner Van Beek made a motion to deny the case and refer for public administration. The motion was seconded by Commissioner Holton and carried unanimously.

Director Baker spoke about a case that was submitted by the Ada County Coroner's Office and background of the case was provided to the Board. The decedent passed away on January 8, 2024 and both Ada and Canyon counties have attempted to work with the spouse but communications and effort to move forward with cremation have failed. At this time, Ada County considers the deceased to be abandoned per Idaho Code 31-2802. Ada County sent a request to the Canyon County Treasurer requesting a review for public administration. To date, the Canyon County Indigent Services office has not received an application for cremation assistance. Ms. Baker said that in an effort to move this along she has brought it before the Board for discussion and possible decision. Based on the investigation done by the Ada County Coroner's Office there appears to be a life insurance policy, a Go Fund Me account, earned and unearned wages along with checking and savings accounts. Director Baker feels that there needs to be an answer from the Treasurer as to

whether or not she intends to pursue public administration. Commissioner Van Beek made a motion to deny based on the criteria that Canyon County is not the payer of last resort even though they are a resident there is no application and the public administration process should be invoked when there are assets that will cover. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:53 a.m. and an audio recording is on file in the Commissioners' Office.

DEMONSTRATION BY INFORMATION TECHNOLOGY OF FINANCIAL WORKFLOW PROCESS

The Board met today at 11:00 a.m. for a demonstration by Information Technology of the financial workflow process. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Director of IT Steve Higgins, Assistant Director of IT Eric Jensen, Project Manager Shawn Adamson, Programmer Analyst II Ryan Cronrath, Development Manager Steve Webb, Business Manager Caitlin Pendell, Auditing Supervisor Sarah Winslow, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Adamson explained that IT has been working with the audit department for some time to create a financial workflow application. The purpose of the workflow application is to streamline the approval process for purchase orders and claims. A demonstration was provided showing how the application will operate. Following the demonstration, discussion ensued and questions were addressed regarding how approvals will move thru the system, how questions regarding claims or purchase orders will be answered, stress testing the application, communication to DA's and EO's, notifications and training.

The Board is in favor of having the application installed on their computers.

Commissioner Holton expressed his concern of creating a serial meeting if there are questions regarding a claim or purchase order. Discussion ensued regarding possible options.

Clerk Hogaboam offered his comments on the budget and budgeted vs. unbudgeted expenses.

The meeting concluded at 11:42 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY MARK JOHNS FOR A CONDITIONAL REZONE, CASE NO. CR2023-0001

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Mark Johns for a conditional rezone of approximately 2.9 acres from an "A" (Agricultural) zone to a "CR-R-1" (Conditional Rezone – Single-Family Residential) zone, Case No. CR2023-0001. If approved,

the applicant will proceed with a subdivision application to split the parcel into 2 lots. The subject property is located at 25220 Kingsbury Road in Middleton. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Associate Planner Maddy Vander Veen, DSD Planning Supervisor Carl Anderson, DSD Director Sabrina Minshall, Mark Johns, an interested citizen, and Deputy Clerk Monica Reeves.

DSD Associate Planner Madelyn Vander Veen gave the oral staff report. On November 2, 2023, the Planning & Zoning Commission recommended the request be denied. The property is located within the Star impact area and is primarily surrounded by residential uses and a mix of lot sizes from under one acre to 10+ acres. There are multiple subdivisions in the area with parcel sizes around one acre. Outside the immediate vicinity there are large parcels both actively used for agriculture and not actively being farmed. The application does not align with the 2030 Canyon County Comprehensive Plan. The future land use designation is rural residential and does not match the proposed single-family residential zoning. The proposal aligns with one goal, six policies, and one action, but does not align with three policies and one action. There are 15 subdivisions within one mile of the subject property with an average lot size of 2.05 acres. There are 37 parcels within 600 feet of the subject parcel with an average lot size of 2.5 acres and the median lot size is 1.15 acres. The highway district has stated the new lot is not anticipated to significantly impact the transportation network and impacts will be mitigated. Approval would only allow one additional dwelling which is already allowed as a secondary residence. The existing home is served by a private well and septic system, and a new private well and septic would serve the new lot. The parcel would be irrigated via a domestic well. The City of Star opposes the request because it does not match their future land use designation. A letter of opposition was submitted by Jessica and Vesta Perryman who are opposed to the request due to the property being used as a rental. In this zoning district a secondary residence would be allowed if the property owner lives on site. Should this case be approved, a proposed condition of approval would prohibit secondary dwellings so it would be the same possible number of dwellings. Following her report, Ms. Vander Veen responded to questions from the Board.

Mark Johns testified in support of his request and started by reading a letter of support from his neighbor, John Perez. Mr. Johns purchased the property, which has a manufactured home on it, seven years ago, and he has done a lot of work to beautify the neighborhood. It's a large property and he would like to build a home in the back with its own address and be able to put another well on it to irrigate a small area. He started the process before the new comprehensive plan went into effect but did not apply until the new plan went into effect. He meets 7 of the 8 criteria, the only one he doesn't meet is the new comprehensive plan. Currently the property is a large field with weeds, and he'd like to beautify it and build a large home. The project fits in the surrounding area with 1-2 acre lots and some large parcels. There is R-1 zoning behind him with one-acre homes. He plans to move into the new home and perhaps sell the existing home. He said the neighbor who opposes it has not spoken with him or asked him about his plans and he said the opinions stated in her letter are not facts. He does not use the property as a rental nor will it be a rental. They will be primary residences. In the past he lived in town and someone else was in the home, but Mr. Johns moved back to the property a year ago and it is/will be his primary residence. He contacted the Idaho Department of Water Resources and was told this is not an area of concern

for wells or septic systems. His property was recently brought into the City of Star although he doesn't think he'll have city services for a long time because it's on the border. The only opposition he is aware of is from the City of Star. The Board had follow-up questions for staff and Mr. Johns.

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 the vicinity map represents spot zoning in an area that has been contentious up until the joint powers agreement that was established by the City of Star, but this was territory that was claimed by both the City of Middleton and the City of Star. The purpose of R-1 zone is to promote and enhance predominately single-family living areas at low density standard. If the impetus is to build a beautiful home on a parcel with scenic views this would be a great place to do that, but we are missing architectural design standards and overlays and so in the absence of some critical pieces in our own plan, it will continue to be a hodge-podge. There is already a shared driveway issue, and if this is sold there could be another potential shared driveway issue. Commissioner Brooks said the circle driveway must be vacated if this were to be approved so that conflict with the neighbor is no longer going to exist because the subject parcel is no longer going to use the circle drive in front of the house. Commissioner Van Beek questioned how this fits when it doesn't appear to conform to the comprehensive plan and if there is building there that has changed significantly enough then maybe a comprehensive plan map amendment needs to be done, not just a conditional rezone. Commissioner Brooks said the property is on the outer fringe of Star's area of impact and there is nothing congruent within one mile as far as consistent. Across the street there is a subdivision with one-acre lots outside of the area of impact, and the applicant can apply for a secondary residence. This is a mess, and it speaks to the collateral damage of hastily changing comprehensive plans without considering everything that could be affected. He is in favor of the application. He understands the need for a comprehensive map amendment, but nothing else in the area aligns with anything else, it's a hodgepodge so what does it solve if the applicant goes to the process? What about all the other properties that are around it. It seems like forcing someone through more red tape than is necessary. Commissioner Holton said it could be much more compelling to approve the case if he knew the details of the ground immediately adjacent to the back of the property. Commissioner Van Beek said the Board makes decisions according to the ordinance based on positive findings for all eight criteria, and having one finding that is not positive does cause a denial. Director Minshall said to have a finding in the affirmative, an example would be evidence of how it is generally consistent with the 2030 comprehensive plan and by citing evidence of the character of the area, and some of the policy and codes it aligns with. Commissioner Holton said it fails at Condition No. 1, but Commissioner Brooks disagrees, and said this is generally consistent in a completely inconsistent area. He believes the comprehensive plan got this area wrong. Director Minshall said procedurally, the cleanest way is to have a comp plan amendment then the rezone is there is. Another option would be for the County to generate a comp plan amendment to cover the entire area that matches and has rezones, but we're going to get into piecemealing with a comprehensive plan, or the applicant could apply. The differentiation is about how lots are split, not about the structures themselves. It would result in the density, but the difference is you don't have the actual lot being split to be sold to someone else. Planning Supervisor Carl Anderson said staff has recommended a condition

that if the Board approves it, that no additional secondary residences would be attached and so in essence it equals out. Director Minshall said that is part of the rationale to answer No. 1 in the affirmative, that the Board feels it is generally consistent because currently they could get a secondary residence which would result in the same densities regardless of comprehensive plan amendment. If then as a condition, after that division there are no more secondary residences because if you don't have that condition it would result in four versus two. Commissioner Brooks agrees and is in favor of approving it with the suggested conditions. Commissioner Van Beek said it's a messy area, but Commissioner Brooks makes a good argument, and we can make an argument for that with a restriction. She wants to make sure we are planning for the future. Planner Vander Veen said the concept plan is just a concept at this point, but if you want to add a condition to tie this approval to a specific concept plan you could do that. Commissioner Holton said we need to declare that the area is totally problematic, and the Board can find no consistency and this specific request is not outside of the inconformity of the area. It's consistently inconsistent. The concern is the land in the future possibly becoming four lots instead of two and that would impact immediate property owners and so he feels this is the best use of the land in consideration of the neighbors.

Commissioner Brooks made a motion that based on the FCO's the Board approves Case No. CR2023-0001, a conditional rezone of parcel R37463010A based on the deliberation that it is consistently inconsistent and that the Board finds the application to be the best use of the subject property. Commissioner Van Beek asked for an amendment to say secondary residences are prohibited on each split. Commissioner Brooks agreed and then she seconded the motion. Director Minshall said the Board needs to be very explicit that it finds all the hearing criteria to be in the affirmative and that No. 1 is generally consistent with the comprehensive plan and will have the same result in density. Commissioner Brooks made an amendment to the motion that based upon the fact that a secondary dwelling is already available, so the net effect is there will be two single-family residences, he finds Condition No. 1 is generally consistent in approving the application because two single-family residences can be built on the property regardless of whether the request is approved. Commissioner Van Beek seconded the amendment and said the Board has found an affirmative reason for all of those including the only one that the P&Z Commission denied so that a hearing body could argue either way, and with the exclusion of a secondary dwelling unit in the conditions this will maintain the density, whether it's split or not, and it will uphold personal property rights and it will allow it to be looked at on the comprehensive plan. The amended motion carried unanimously. Staff will bring back the FCO's at a later date. The hearing concluded at 2:47 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 23, 2024

APPROVED CLAIMS

- The Board has approved claims 603029 to 603071 in the amount of \$66,102.77

- The Board has approved claims 603072 to 603113 in the amount of \$155,709.98
- The Board has approved claim 603347 ADV in the amount of \$87,102.50

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Nemo Q, Inc., in the amount of \$10,652.00 for the Information Technology Department (PO #5964)
- A-Gem Supply in the amount of \$7,700.00 for the Southwest Idaho Juvenile Detention Center (PO #5994)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Mathew Lewis, Deputy Sheriff Patrol, transfer from inmate control to patrol

CONSIDER SIGNING CLOSING DOCUMENTS FOR PROPERTY LOCATED AT 1212 ALBANY STREET, CALDWELL, IDAHO

The Board met today at 2:30 p.m. to consider signing closing documents for property located at 1212 Albany Street in Caldwell. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Facilities Director Rick Britton, Assistant Director of Facilities Carl Dille, Nate with Pioneer Title Company, and Deputy Clerk Monica Reeves. Chief Civil Deputy PA Carl Ericson reviewed the closing documents and said he spoke with Kauri Richards at Pioneer Title who was able to confirm the title is clear. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to authorize the Commissioners' signatures on the closing documents. The signed documents will be recorded by Pioneer Title and copies will be on file in the Commissioners' Minutes. The meeting concluded at 2:32 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 26, 2024

APPROVED CLAIM

- The Board has approved claim 603349 ADV in the amount of \$18,872.08

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Rich Soto, Interim HR Director

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

Commissioner Van Beek made a motion to go into Executive Session at 9:01 a.m. pursuant to Idaho Code, Section 74-206(1) (a), (b) 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 9:36 a.m. with no decision being called for in open session.

Following the executive session, the action item was considered as follows:

Consider appointment of interim Human Resources Director: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to appoint Rich Soto as the interim HR Director.

Commissioner Van Beek moved to adjourn.

The meeting concluded at 9:37 a.m. and an audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 27, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$18,913.30 for the Sheriff's Office (PO #5835)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Doug Woods, Deputy Sheriff (correction to pay)
- Jacquelyn Gonzales, Clerk II
- Justin Carlock, Clerk I
- Georgina Cuevaz-Carillo, Juvenile Probation lead administrative specialist (salary adjustment)

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 (left at 9:42 a.m.), Deputy P.A. Alex Klempel, Facilities Director Rick Britton (left at 9:40 a.m.), Solid Waste Director David Loper (left at 9:42 a.m.), Parks Director Nicki Schwend (left at 9:42 a.m.), DSD Director Sabrina Minshall, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Celebration Park Boater Improvements Project Architectural and Engineering Services Agreement with J-U-B Engineers, Inc.: Director Britton explained this is for design and engineering of the boat ramp project at Celebration Park which will be funded by the Idaho Department of Parks and Recreation grant. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Celebration Park Boater Improvements Project Architectural and Engineering Services Agreement with J-U-B Engineers, Inc. (agreement no.24-020).

Consider Celebration Park Deck Improvements Project Architectural and Engineering Services Agreement with J-U-B Engineers, Inc.: Director Britton said there are a lot of requirements for the deck improvements with too many unknown factors to not have an engineered plan. This is being done in conjunction with the Boater Improvement Project as some of the surveying aspects overlap, however, these are completely separate projects and no grant funds will be used for the deck improvement project. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Celebration Park Deck Improvements Project Architectural and Engineering Services Agreement with J-U-B Engineers, Inc. (agreement no. 24-021).

Public hearing to receive comments regarding the proposed increase to the on-site credit card fee for the Pickles Butte sanitary landfill with an action item to consider a resolution increasing the on-site credit card fee for the Pickles Butte Sanitary Landfill: This increase to \$2.25 is to cover county costs for credit card usage. No members of the public appeared to offer comment and no comments were received via phone or email. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution increasing the on-site credit card fee for the Pickles Butte Sanitary Landfill (resolution n0. 24-034).

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, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall and COO Greg Rast. Mr. Wesley and Ms. Minshall left at 10:22 a.m. The Executive Session concluded at 10:27 a.m. with no decision being called for in open session.

Consider resolution approving a new alcoholic beverage license for Stinker Store #122: Commissioner Brooks said he has reviewed the application and everything appears to be in order, he then made a motion to sign the resolution approving a new alcoholic beverage license for Stinker Store #122. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-036).

The meeting concluded at 10:29 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER RESOLUTION ADOPTING ON-CALL DIFFERENTIAL PAY FOR FACILITIES EMPLOYEES BEGINNING FY2025

The Board met today at 10:30 a.m. to consider a resolution adopting on-call differential pay for Facilities employees beginning FY2025. Present were: Commissioners Leslie Van Beek, Zach Brooks and Brad Holton, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, COO Greg Rast and Deputy Clerk Jenen Ross.

This change was previously discussed at the February 7th meeting where Director Britton provided details on the pay structure. The change will not be effective until fiscal year 2025 when an additional line will be added to the 'A' budget for the differential pay.

Commissioner Van Beek offered comments in support of this change and made a motion to sign the resolution adopting on-call differential pay for Facilities employees beginning FY2025 (resolution no. 24-035).

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

MEETING TO CONSIDER FINAL PLAT FOR VANWINKLE SUBDIVISION, CASE NO. SD2022-0046

The Board met today at 11:00 a.m. to consider the final plat for VanWinkle Subdivision, Case no. SD2022-0046. Present were: Commissioners Leslie Van Beek and Brad Holton, Principal Planner Dan Lister, Representatives for VanWinkle Subdivision and Deputy Clerk Jenen Ross. Mr. Lister said that all conditions have been met and Commissioner Van Beek made a motion to sign the final plat. The motion was seconded by Commissioner Holton and carried unanimously. The meeting concluded at 11:01 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 2:03 p.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy Treasurer Jennifer Watters and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider casualty loss application for Nicholas Parente: Ms. Watters explained the structure burned on 7/21/23 and they are requesting 6 months of forgiveness for \$82.74 in cancellation of taxes. Commissioner Brooks made a motion to approve the casualty loss application as presented. The motion was seconded by Commissioner Van Beek and carried unanimously.

Approve Treasurer's Tax Charge Adjustments by PIN for January 2024: Ms. Watters answered Commissioner Van Beek's question regarding the adjustment to the landfill property purchase. Commissioner Van Beek made a motion to sign the Treasurer's tax charge adjustment by PIN for January 2024. The motion was seconded by Commissioner Brooks and carried unanimously.

The Treasurer's monthly reports for November and December 2023 and the Treasurer's quarterly report for October - December 2023 were filed in today's minutes.

The meeting concluded at 2:08 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

Commissioner Van Beek made a motion to go into Executive Session at 2:34 p.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce. The motion was seconded by Commissioner 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 and Deputy P.A. Laura Keys, Chief Deputy Assessor Joe Cox and Robin Sellers with the City of Nampa. The Executive Session concluded at 3:03 p.m. with no decision being called for in open session.

Commissioners attended Canyon County Sheriff's Office K9 training event

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 28, 2024

There were no meetings scheduled for today.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 29, 2024

APPROVED CLAIMS

- The Board has approved claim 603351 in the amount of \$180,444.00

COMMISSIONERS RIDE ALONG WITH NAMPA POLICE DEPARTMENT

The Board participated in a ride along with the Nampa Police Department today from approximately 9:30 a.m. to 11:30 a.m. It 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 THE TRIAL COURT ADMINISTRATOR

The Board met today at 1:31 p.m. with the Administrative District Judge and the Trial Court Administrator. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, ADJ Davis Vander Velde, Interim TCA Benita Miller, Deputy TCA Laura Kiehl (left at 1:45 p.m.), Jury Commissioner Christina Jeffes (left at 1:45 p.m.) and Deputy Clerk Jenen Ross. The following items were discussed:

- Jury fee collection – As of October 2023 they have started asking if jurors would be willing to donate back their jury pay in order to offer better accommodations for future jurors; since that time \$15,940.89 has been donated back.
- Ms. Kiehl and Ms. Jeffes recently attended a jury conference where there were a lot of good ideas presented which they hope to implement in the next year so.
- Discussion ensued regarding the jury pool specifically regarding jury summons being sent to deceased citizens. At this time, information is only collected from voter and driver's license records but Ms. Jeffes said she would be willing to contact the Idaho Department of Vital Statistics to see if a MOA could be put in place in order for the county to receive information on deceased citizens.

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

EXECUTIVE SESSION – PERSONNEL MATTERS

Commissioner Van Beek made a motion to go into Executive Session at 1:44 p.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. 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, ADJ Davis Vander Velde and Interim TCA Benita Miller. Deputy TCA Laura Kiehl and Jury Commissioner Christina Jeffes left at 1:45 p.m. The Executive Session concluded at 1:53 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 TO CONSIDER ACTION ITEMS RELATED TO THE PARKS DEPARTMENT

The Board met today at 2:02 p.m. to consider action items related to the Parks department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Historic Preservation Support Award agreement with Caldwell Historical Society: Director Schwend explained this project is hire a consultant in an effort to get the Luby Park Rose Garden and pump house on the National Register of Historic Places. The approved amount for this grant award is \$11,780. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Historic Preservation Support Award agreement with Caldwell Historical Society (agreement no. 24-022).

Consider adoption of the Canyon County Parks, Pathways and Cultural Resources Plan: Director Schwend spoke about the plan that was developed with Agnew::Beck and adopted under the previous Board. The current Board has expressed their desire to revise the acknowledgements section to the current BOCC. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to adopt the Canyon County Parks, Pathways and Cultural Resources Plan.

The meeting concluded at 2:10 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS RELATED TO THE SOLID WASTE DEPARTMENT

The Board met today at 2:30 p.m. to consider action items related to the Solid Waste department. 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, Solid Waste Director David Loper, Clyde Alexander and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Adopting Changes to Landfill Caretaker Job Description: There were some basic changes that were made to the job description to better outline the caretaker expectations and Director Loper said the main change was to the salary in order to bring it up to the county minimum. Today's resolution is to officially adopt those changes. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the resolution adopting changes to the landfill caretaker job description (resolution no. 24-037).

Consider Employee Agreement Regarding Employer-Provided Housing: This agreement is to more clearly define the agreement as employer/employee vs. landlord/tenant. Upon the motion of

Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the employee agreement regarding employer-provided housing (agreement no. 24-023).

Mr. Alexander is already an employee of the landfill and knows how it operates; he will be taking over the caretaker responsibilities with a tentative start date of April 7, 2024.

The meeting concluded at 2:38 p.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION WITH COUNTY ATTORNEYS UNDER IDAHO CODE, SECTION 74-206(D) AND (F)

Commissioner Van Beek made a motion to go into Executive Session at 2:40 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner 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. David Leroy joined the meeting at 2:45 p.m. The Executive Session concluded at 3:59 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.

THE MINUTES OF THE FISCAL TERM OF FEBRUARY 2024 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 21st day of March, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek

Brad Holton

Commissioner Brad Holton

Zach Brooks

Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: J Ross, Deputy Clerk