

APPROVED CLAIMS

- The Board has approved claim 603350 in the amount of \$312,307.28
- The Board has approved the February jury claim in the amount of \$5,318.50

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Western States Equipment - Meridian in the amount of \$500,000.00 for the Solid Waste Department (PO #5989)
- Right! Systems, Inc., in the amount of \$169,315.00 for the Information Technology department (PO #5977)
- BOE in the amount of \$7,384.00 for the Information Technology department (PO #5978)
- LN Curtis in the amount of \$17,782.00 for the Sheriff's Offices (PO #5836)

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Parma Ridge to be used 3/09/24.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Pamela Black, Temporary Election Specialist
- Warna Sears, Temporary Election Specialist
- Vivian Ferkin, Temporary Election Specialist
- Aidan Lorenz, Temporary Election Specialist
- Talia Sturkie, Deputy Prosecuting Attorney I - Criminal
- Kelsey Manweiler, Deputy Prosecuting Attorney I - Criminal (SAUSA)

ACTION ITEM: ADOPT AND SIGN THE FISCAL YEAR 2024 BUDGET BOOK

The Board met today at 2:03 p.m. to consider adopting and signing the Fiscal Year 2024 Budget Book. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Clerk Rick Hogaboam, Chad Thompson, Jo Dee Arnold, Dan Arnold, and Deputy Clerk Monica Reeves. COO Rast said the reason the Board is adopting the budget book is because it should have been posted after the budget was approved. Historically, the Controller and Clerk have generated a budget book to show what we have done with the funds that were approved, but the Board was informed in October of 2023 that the Clerk and Controller did not want to create a book because the Commissioners prepared the budget. The Constituent Services Department was tasked with creating the budget book, a copy of which is on file with this day's minute entry. Today, each of

the Commissioners offered comments in support of the efforts to create the book and they spoke about why it was necessary. Clerk Hogaboam offered comments regarding the use of foregone, and spoke of his statutory requirements related to the budget process and submitting quarterly reports. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adopt the FY2024 Budget Book. It will be posted on the County's website. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The meeting concluded at 2:50 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 4, 2024

There were no meetings scheduled for today.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 5, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Steven Costley, Deputy Sheriff – received intermediate detention certificate

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Solid Waste Director David Loper (left at 9:44 a.m.), Facilities Director Rick Britton (left at 9:34 a.m.), DSD Director Sabrina Minshall, COO Greg Rast, Clerk Rick Hogaboam (arrived at 9:32 a.m. and left at 9:51 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Report on Acquisition of Laundry Equipment from Alliance Laundry Equipment for the Dale Haile Detention Center: Mr. Ericson explained there were no bids were received by the February 20th deadline for this project which allowed the county to go to market. Alliance Laundry Equipment had given an initial estimate and seems they miscalculated the due date for bids. A purchase order was signed on February 21st and today's meeting is just to document and close out this acquisition. The Board provided consensus to continue moving forward with the acquisition of a purchase of \$174,205.00 for 7 washers, 7 dryer and 7 bases which were budgeted for in Fy24.

Consider Legal Notice of Public Hearing to Consider Increasing Tipping Fees for the Pickles Butte Sanitary Landfill: Director Loper reviewed some highlights of the increased fees including minimum fees, municipal solid waste, construction demolition, green waste, sheetrock, clean wood and tires. New categories added were tire shreds, mobile homes with a frame, commercial waste and a clean-up fee. Other changes included deleting the fee specific to Owyhee County and the out-of-county fee structure. There was also an increase to number of tires, paints and oils. The anticipated revenue increase is about \$1.7 – \$1.8M depending on volumes and tonnage. The public hearing will be held on March 26, 2024. Additional, discussion ensued regarding the agreement between Canyon and Owyhee counties and how that may need to be reviewed and updated. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice of public hearing to consider increasing tipping fees for the Pickles Butte Sanitary Landfill. A copy of the notice is on file with this day's minutes.

Yesterday a petition for organization of Auditorium District from the City of Nampa was served on the county, Mr. Ericson provided the reason why and the role the County Commissioners play in the in the petition.

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 9:51 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. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, COO Greg Rast. Ms. Minshall joined the meeting at 9:51 a.m. The Executive Session concluded at 10:29 a.m. with no decision being called for in open session.

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

PUBLIC HEARING: REQUEST BY RIDGELINE VISTAS, LLC, FOR APPROVAL OF A PRELIMINARY PLAT, IRRIGATION PLAN, GRADING AND DRAINAGE PLAN, AND HILLSIDE DEVELOPMENT PLAN, CASE NO. SD2021-0058

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Ridgeline Vistas, LLC, represented by KM Engineering, LLP, for approval for a preliminary plat, irrigation plan, grading and drainage plan, and hillside development plan subject to conditions of development in Development Agreement No. DA-21-033, Case No. SD2021-0058. Present were:

Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Debbie Root, Planning Supervisor Carl Anderson, In Favor: Lynn Warin, Kevin Froehlich, Todd Lakey, Matt Drown, and Stephanie Hopkins, Neutral: Melissa Wieland, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that in 2021 she was part of the decision-making process for this application and the rezone. Neither Commissioners Brooks and Holton had any disclosures or declarations to make.

DSD Principal Planner Deb Root gave the oral staff report. The proposed development is located on approximately 189.84 acres of conditionally zoned "CR-R-R" (Rural Residential) property, and consists of 20 residential lots with a minimum lot size of 8 acres and an average lot size that was must be at least 8.5 acres. The subject property is located to the east of 11509 Shalako Street in Caldwell and is also referenced as Parcels R37369 and R37368. On December 21, 2023 the Planning and Zoning Commission recommended that the Board of County Commissioners approve the request. The applicant is seeking approval of the Ridgeline Vistas Subdivision preliminary plat, irrigation plan and drainage plans, hillside development plans and agriculture preservation plan in accordance with DA No. 21-033. The development is located adjacent to High Plains Estates, and un-platted development of similar sized lots created through land divisions and building permit transfers. They are proposing to have individual domestic wells, septic systems. Access will be served by an existing private road, Shalako Road, taking access to Emmett Road a public road which is approximately 1.2 miles west. It will require reconstruction of Shalako Road. The property has irrigation groundwater rights. There is concern about the existing historic drainage due to flooding that has occurred onto adjacent properties, but the County engineer felt that could be addressed at the time of construction drawing approval. The property lies within a FEMA special flood hazard area, and an approved LOMR (letter of map revision) is required prior to the final plat submittal. The preliminary plat was found to be consistent with the standards of review as conditioned. Construction drawings as approved by the County engineer and affected agencies are required prior to development. Development concerns include single-point of ingress/egress; the development of homes and accessory structures on steep slopes; potential for erosion, vegetation disturbance; access; road grade; and emergency services responsiveness. The County engineer has proposed conditions requiring grading and drainage plans be provided for all but 4 of the proposed lots due to the slope arrangement where the building envelopes are located. Regarding the potential for wildfire, the Department of Interior/BLM sent a letter stating concerns for lands being accessed without approval through them and development on those lands without approval, and BLM fire suppression resources and personnel are not trained or qualified to provide structure protection in the event of wildfire. Ms. Root reviewed agency comments. The local bus company had advised that a school bus will not pick kids up in the development although that could be re-evaluated in the future. There will be a bus stop on the road outside of the development. The County floodplain administrator indicated the base flood elevation data has been provided and they will require the LOMR prior to the final plat being submitted. There are two proposed roads within the development, Shalako Street that must be improved and extended, and Ridgeline Vistas Lane. Letters of concern were received regarding the road, and the existing development having to a part of maintaining the fire suppression well, but that is an agreement between the two developments within the CC&Rs. Following her report, Ms. Root responded to

questions from Commissioner Van Beek regarding water supply, fire district requirements, wells, irrigation, and the roadway ingress/egress.

The following people testified in favor of the request:

Stephanie Hopkins, with KM Engineering, offered testimony on behalf of the property owner and developer for Ridgeline Vistas. The property was conditionally rezoned to rural residential in 2021, and there is a comprehensive development agreement that's been used to help guide the design of development. The developer has coordinated a fair amount with the property owners with the High Plains Estates Subdivision and adjacent property owners to make sure the development is consistent and compatible with the area. Primary access is via Shalako Road and the existing portion will be brought up to current standards and extended through the development to serve as access for the 20 lots. The average lot size is just under 9 acres, the largest lot is 9.83 acres. They are proposing individual well and septic. A portion of the development is in flood zone A, and a flood study was completed by HDR. They put an easement on the plat that can be adjusted as they go through final design to make sure no water is going to the west and water stays within the development. She spoke of the irrigation and domestic water rights available to the property; the northeast corner is steeper so lots will be graded appropriately and will require engineering with building permits. The 2-acre building lots were part of the development agreement requirements, they need to depict where the two acres will be where buildings can be located within; the rest of the property needs to be kept for agricultural uses and that is flexible because there's not a way to hold people down to specific uses going forward. They will encourage people to use the property for ag purposes and be consistent with the High Plains Estates development. They placed the building envelopes based on what they understand to be the existing conditions and what might work, but they would like a condition added to an approval that would allow for some flexibility rather than be held to this specific layout. Ms. Hopkins reviewed the agricultural analysis they submitted which depicts what people could do with the property that is going to be preserved for agricultural purposes. She reviewed the flood study that HDR completed. They will work with staff and FEMA on a letter of map revision that will be required before they file the final plat. She gave a summary of water rights. Irrigation water will come from the groundwater well and the domestic stock water will be diverted from lot 7, block 1. They will allow domestic and irrigation water to be supplied from either one or two wells on each lot, depending on what lot owners want to do. Well depths will be 300-400 feet. Lots will require engineering with building permits. The single point of access is tricky, and they have made design consideration to mitigate concerns, widening the road and including a fire hydrant and working with the fire department. Steep slopes will be engineered, and they have submitted a defensible space plan to show the gradients where they will place landscaping and make sure there is graduated spacing. Landowners will be made aware that they need to be cognizant of how they design landscaping going forward. Water will stay within the property, and they will mitigate within their development any of the water that will travel to the west. Following her testimony, the Board had follow-up questions for Ms. Hopkins and for staff. When asked about the language for the building envelopes, Ms. Hopkins said they would like to add a condition that allows for flexibility to modify the building envelopes with building permits so as each lot comes in they can have the opportunity to work with staff to determine if they can shift to the east, west, or south depending on the lot.

Ms. Root said the condition is written specifically so they cannot do that. The development agreement requires 2-acre building envelopes and agricultural preservation so ideally if the applicant did not agree with the conditions of the agreement it should go back to the hearing body to have those conditions modified to reflect what they plan to do in the development. Having the agricultural preservation plan and the irrigation water divvied up and the lots being the size they are is going to make it very difficult to comply with the conditions. The Board could modify the agricultural preservation plan condition and/or the conditions of approval restricting the development to two acres on the property and requiring those building envelopes. The Board could remove the building envelopes and place a condition that provides for development areas but doesn't place a large burden on staff to determine what that looks like with every building permit that comes in. Ms. Root has a concern with roving building permits.

Todd Lakey testified the land was an original lot as part of the High Plains project and was intended to be developed similarly with it and they are subject to their CC&Rs as a lot in that project. There will be specific provisions for this portion of the overall development and that will enable those lots to be responsible for the cost of the well maintenance and the hydrant maintenance. We have to approve the main Shalako Road. Regarding fire sprinklers, they are exempt with lot sizes being over 5 acres and outside an area of impact area, but they wanted fire district's support so that's why they agreed to the hydrant and sprinklers. They have subsurface water for the well and those will be allocated and transferred to each well. On the flexibility issue, they have building envelopes that will be shown on the plat and perhaps they can have flexibility between now and the final plat and once the roads and infrastructure are in they would like flexibility to relocate those envelopes within the project based on the layout to give them flexibility when they come in for the final plat. The well was installed in 2014 and it generates 1,000 gallons per minute. They have allocated an emergency use water right for that well and it will feed the fire hydrant. Following his testimony, Mr. Lakey responded to questions from the Board.

Lynn Warin offered testimony as the President of the High Plains Estates Property Owners Association (POA) and said they appreciate the continued collaboration of the project developer. Their board of directors is in favor of the Ridgeline Vistas development and the following conditions they agreed to:

At the signing of the final plat, all roads in High Plains Estates and Ridgeline Vistas will be deeded to the High Plains Estates POA. Prior to the signing of the final plat, Shalako Road shall be improved at the expense of Ridgeline Vistas developer to meet the minimum requirements of the zoning ordinance. If the development is completed in phases with Shalako Road being improved during the initial phase any damage created by the development of Ridgeline Vistas to Shalako Road will be during subsequent phases and will be repaired by the developer. Ridgeline Vistas will be an extension of the High Plains Estates POA governed by the requirements and will be included in the current High Plains Estates CC&R's as an addendum as well as future updated CC&Rs. The addendum will include fire protection well hydrant incremental annual assessments, building envelopes and lot specific water rights. Voting rights established for each building lot as they are sold and all unsold building lots will have a combined total of one vote for the developer and one

annual assessment. A onetime setup fee of \$500 will be assessed as each lot is sold by the developer. This was not in terms of building and funds for a well, this is the fee for those properties being transferred to the High Plains Estates POA, which is a minor difference from what was stated by Mr. Lakey. The fees will be collected by the POA and all expenses, maintenance, and improvements of the fire suppression well and hydrant will remain the responsibility of the developer until the last building lot of the final phase is sold at which time the well, along with the water rights and electrical expenses will become the property of High Plains Estates POA and will be turned over in good working order. As each lot is sold an additional \$300 annual assessment above the current HPE annual assessment will be collected from each property owner in Ridgeline Vistas for the maintenance of the well and hydrant. Semiannually Ridgeline Vistas developer will submit receipts for well hydrant maintenance for review by the POA board of directors. Approved expenses will be reimbursed to Ridgeline Vistas developer up to the maximum amount of reserves available in the hydrant or well assessment fund.

There was no neutral testimony or opposition testimony at today's hearing.

Rebuttal testimony was offered by Stephanie Hopkins and Kevin Froehlich

Stephanie Hopkins said the developer is amenable to not allowing secondary homes and that's something they can address through an addendum to the CC&R's, it would also be appropriate to include it as a condition.

Kevin Froehlich testified regarding the typical maximum gallons per minute. A typical home uses 300 gallons per day and the max is 13,000 gallons per day so it's going to cover the home plus extra.

Ms. Hopkins said they still want the additional condition to allow flexibility between the preliminary plat and the final plat on the building envelopes. In response to a question from Commissioner Brooks, she said the detailed sheets for the preliminary plat show the 2-acre building envelopes with the rest of the property being for agricultural uses. In the development agreement it's her understanding there wasn't a limitation to where exactly those building envelopes had to be placed. Staff wanted to see them stay in the exact spot so that's why they are asking for flexibility to modify the building envelopes where appropriate within lots between this phase of the approval and the final plat submittal. Ms. Root said Condition No. 13 indicates the building envelopes need to remain where they are shown. The preliminary plat was reviewed by staff and engineering with those building envelopes where they are located and the engineer provided, based on where structures may be and what lots needed to have grading an engineering plans, and the intent with a 2-acre building envelope and an ag preservation plan was to put those envelopes where they would be least disruptive to agriculture, which didn't really happen. She encouraged Ms. Hopkins to consider amending the development agreement to address some of those things that are difficult at best to do at this property. Ms. Root is not opposed to the building envelopes being modified some, but they were reviewed by engineering based on their proposed location which would still be reviewed again at final plat but at that time the roving envelopes were not restricted to just between the preliminary plat and final plat. If there is some thought to

not having those apply it would require an amendment to the development agreement. Ms. Hopkins said they are amenable to having the building envelope and preserving the rest of the ground for ag purposes, their request is to have some flexibility with where those envelopes are placed knowing that people who purchase lots may have preferences that are not reflected on the current pre plat. The agreement has some flexibility, it's Condition No. 13 with the preliminary plat that they want flexibility on.

Todd Lakey said if they could change that language it would give enough flexibility to say building envelope locations will substantially comply with those depicted in the preliminary plat. It gives flexibility and keeps it in the general location that's in whatever you approve in the pre plat. He proposes they modify the first sentence to state: as required by the development agreement, each lot has a specific building envelope that will be substantially consistent with the preliminary plat. The proposal is to delete the sentence that says all residential agricultural structures must lie within the area identified on the preliminary plat. The building envelopes on the final plat will be located in substantial conformance with the location on the preliminary plat. Ms. Hopkins said there are just a few lots in which they are seeking flexibility and it's more in the middle of the subdivision.

The following exhibits were identified: US Dept of Interior Bureau of Land Management letter will be identified as Exhibit H; and Exhibit I is the documentation submitted by Lynn Warin. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to accept Exhibits H and I. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to close public testimony.

Commissioner Van Beek said the applicant has agreed to a restriction that would not allow secondary dwellings on the property. Commissioner Holton agreed and wants it added to the conditions of approval. Ms. Root said entitlements should have been addressed during the rezone phase so it would have to be voluntary on the applicant's part and so it may have to be addressed in a plat note. Commissioner Van Beek had questions about adding a plat note in reference to the building envelopes and hillside slopes. Ms. Roto said modifying that condition would require a modification to the development agreement. The secondary dwelling is a separate issue from the building envelope. You can require a condition that puts a plat note on the final plat indicating that no secondary dwellings will be allowed on the properties. The building envelope is already a condition in the development agreement, and it would have to be modified to substantially change it, such as eliminating the building envelopes completely. They can rove because they were already not required in a specific location. From the standpoint of changing where they are currently on the preliminary plat a bit, they just can't NOT be there unless they modify the development agreement. Commissioner Brooks is in favor of the proposed changes to Condition No. 13 to allow some flexibility. He said the term *substantial compliance* is at the interpretation of the person reading the term and, in his opinion, it gives enough flexibility to move the building envelope to where they see fit between now and the final plat. Commissioner Van Beek does not think any accessory dwelling units should be allowed. Commissioner Holton said he concurs with the P&Z Commission's findings with the addition of language to Condition No. 13, and the addition of Condition No. 15 that addresses not allowing accessory dwelling units. Commissioner Van Beek

made a motion based on the findings of fact and conclusions of law for Case No. SD2021-0058 to approve the preliminary plat, irrigation plan, preservation plan, and the grading and drainage plans for Ridgeline Vista Subdivision subject to the conditions of approval except for Condition No. 13 which will state as required by DA #21-033, each lot has specific building envelope location identified. The building envelope must be no more than two acres in size. All residential and agricultural structures must lie within the identified building envelopment. The building envelope shall be shown and located on the final plat in substantial compliance with the preliminary plat. Condition No. 15 will require a final plat note that states no secondary structures shall be allowed. Planning Supervisor Carl Anderson clarified that it is a voluntary condition. The motion was seconded by Commissioner Brooks and carried unanimously. The FCO's will be brought back at a later date. The hearing concluded at 3:09 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 6, 2024

APPROVED CLAIMS

- The Board has approved claims 603352 to 603391 in the amount of \$125,855.63
- The Board has approved claims 603392 to 603431 in the amount of \$177,533.70
- The Board has approved claims 603432 to 603470 in the amount of \$18,949.06
- The Board has approved claims 603471 to 603519 in the amount of \$106,463.74
- The Board has approved claims 603520 to 603564 in the amount of \$241,533.97
- The Board has approved claim 603740 ADV in the amount of \$3,171.00

APPROVED MARCH 8, 2024 PAYROLL

- The Board approved the March 8, 2024 payroll in the amount of \$2,424,631.03

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for:

- Mikaela Rio, Juvenile Probation Clinician

DETAILED MINUTES TO COME AT A LATER TIME

MEETING WITH DSD DIRECTOR FOR DEPARTMENT UPDATE

APPROVED CLAIM

- The Board has approved claim 603741 in the amount of \$10,440.04
- The Board has approved claims 603565 to 603616 in the amount of \$745,992.85
- The Board has approved claims 603617 to 603638 in the amount of \$13,626.00
- The Board has approved claims 603639 to 603670 in the amount of \$76,109.90
- The Board has approved claims 603671 to 603696 in the amount of \$13,631.84
- The Board has approved claims 603697 to 603739 in the amount of \$71,246.49

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change form for:

- Hayli Marcilliat, Housekeeper
- Chelsee Boehm, Historic Preservation Officer
- Melissa Salazar, Legal Assistant I – Criminal Division

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

The Board met today at 9:32 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Sgt. Jason Roberts, Lt. Travis Engle and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Agreement with Idaho Department of Parks and Recreation – Boating Safety Grant: This is an annual grant agreement which is the same as last year with the exception of greater funding amount – this year’s grant amount \$50,832. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with Idaho Department of Parks and Recreation – Boating Safety Grant (agreement no. 24-024).

There were no other matters for the legal staff update and the meeting concluded at 9:37 a.m. An audio recording is on file in the Commissioners’ Office.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Curtis Blue Line in the amount of \$26,304.75 for the Sheriff's Office

CANYON COUNTY LOCAL OPTION REGISTRATION FEE DISCUSSION MEETING

Commissioners Zach Brooks and Brad Holton attended the COMPASS meeting regarding Potential Canyon County, Countywide Local Option Registration Fee. The meeting was hosted by COMPASS and was held in the Canyon County Administration Building. No Board action was required or taken as this meeting was held for discussion/informational purposes only.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 11, 2024

No meetings were scheduled today.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 12, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Converge One in the amount of \$6916.30 for the Information Technology department (PO #5981)
- DataBank in the amount of \$5625.00 for the Information Technology department (PO #5980)
- Tree Maintenance in the amount of \$13,000 for the Facilities department (PO #5931)
- WW Livestock Systems in the amount of \$97,861.05 for the Facilities department (PO #5930)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Daisy Olmedo, PA Legal Assistant
- Joshua Wright, Juvenile Detention Officer
- Spencer Siebel, GIS Analyst

APPLICATION FOR APPROVAL TO ACCEPT OUTSIDE EMPLOYMENT FORM

The Board approved an application to accept outside employment for:

- Bernie Ramirez

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permit for:

- Eastside Tavern to be used 4/20/24
- Olive and Vyne Eagle to be used 3/16/24
- Uppercuts Barber Shop LLC to be used 3/17/24, 5/26/24, 5/12/24 and 4/21/24
- Capital City Event Center to be used 5/4/24, 5/11/24, 5/25/24, 5/31/24, 6/1/24, 7/20/24 and 4/6/24

FILE IN MINUTES

- Treasurer's monthly report for January 2024

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND PUBLIC HEARING TO RECEIVE COMMENT REGARDING SOLE SOURCE PROCUREMENT FOR NEW CUSTOMIZED SWINE PEN EQUIPMENT

The Board met today at 9:33 a.m. with county attorneys for a legal staff update and for a public hearing to receive comment regarding sole source procurement for new customized swine pen equipment. 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, Fair Director Diana Sinner (left at 9:38 a.m.), DSD Director Sabrina Minshall, Facilities Director Rick Britton (left at 9:38 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

No written comments were received and no members of the public were present at the hearing to offer comment regarding the procurement for new customized swine pen equipment.

Consider Executing Purchase of New Customized Swine Pen Equipment from WW Livestock Systems:

Commissioner Van Beek made a motion to execute the purchase. Mr. Klaas said that this was just a meeting to take comment and Commissioner Holton noted that opportunity was provided for public hearing, there were no comments and the Board is supportive of moving forward to get a proposed contract to be signed. Director Britton presented the Board with a purchase order for signatures.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:39 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. 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, DSD Director Sabrina Minshall and COO Greg Rast. The Executive Session concluded at 10:22 a.m. with no decision being called for in open session.

The meeting concluded at 10:22 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES TO CONSIDER ACTION ITEMS

The Board met today at 10:31 a.m. with Development Services to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley (left at 10:40 a.m.), DSD Office Manager Jennifer Almeida, Permit Supervisor Cassie Lamb, DSD Director Sabrina Minshall, Principal Planner Debbie Root, Principal Planner Dan Lister (left at 10:40 a.m.), Keri Smith (arrived at 10:34 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution issuing a refund to Donald Brown for a withdrawn Director Decision Variance request, Case no. AD2023-0081: There was minimal work done on this file with approximately 15% of the fees being utilized. DSD staff is recommending a refund of \$510.00 and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution issuing a refund to Donald Brown for a withdrawn Director Decision Variance request, case no. AD2023-0081 (resolution no. 24-038).

Consider Certificate of non-compliance for property located at 16964 Sand Hollow Road, Caldwell, ID (parcel no. R24353): The property owner failed to apply for a building permit and has since built an unpermitted addition onto a manufactured home. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for property located at 16964 Sand Hollow Road, Caldwell, ID (parcel no. R24353).

Consider Certificate of non-compliance for property located at 11 N. Queen Victoria Court, Nampa ID (parcel no. R30518016): Although a building permit was applied for and approved it was never paid for or picked up by the property owner and since that time the permit has expired. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for property located at 11 N. Queen Victoria Court, Nampa ID (parcel no. R30518016).

Consider FCOs for Mark Johns, Case no. CR2023-0001: The development agreement and ordinance were not agendized for today's meeting so Commissioner Holton made a motion to continue this

action item to a time when all the documents are ready for signatures. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider FCOs for Atlas Towers/Schober, Case no. CU2023-0005-APL: Mr. Lister explained that on February 13, 2024 the Board heard the appeal from Atlas Towers regarding the denial of a conditional use permit for a telecommunications facility; the Board concurred with the denial made by the planning and zoning commission. Revised FCOs have been prepared updating criteria no. 4 as requested by the Board which demonstrates the history of how this case made it before the Board and how they concurred with the decision. Commissioner Brooks recused himself as he did not participate in the hearing. Commissioner Van Beek made a motion to sign the FCOs on case no. CU2023-0005-APL which is a request for a conditional use permit to allow a telecommunications facility on parcel no. R31463010; that is to deny the appeal and uphold the decision by planning and zoning. The motion was seconded by Commissioner Holton and carried unanimously.

Consider FCOs for Ridgeline Vistas Subdivision, Case No. SD2021-0058: Ms. Root said the Board asked a condition be revised and a condition be added; condition no. 13 was revised and condition no. 15 was added. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the FCOs for Ridgeline Vistas Subdivision, case no. 2021-0058.

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

JOINT MEETING WITH CITY OF CALDWELL FOR COORDINATION AND COLLABORATION ON LAND USE ISSUES

The Board met today at 3:02 p.m. for a joint meeting the City of Caldwell for coordination and collaboration on land use issues. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Michelle Barron, Chief Operating Officer Greg Rast, Facilities Director Rick Britton, Fair Director Diana Sinner, Caldwell Mayor Jarom Wagoner, Caldwell City Councilors: Brad Doty, Chuck Stadick, Diana Register, Chris Allgood, and Mike Dittenber, Caldwell City Clerk Debbie Geyer, Caldwell P&Z Director Robin Collins, Caldwell P&Z Deputy Director Morgan Beesaw, Economic Development Director Steven Jenkins, Caldwell Parks and Recreation Director Juli McCoy, Keri Smith, Connie Aebischer, other interested citizens, and Deputy Clerk Monica Reeves.

Director Minshall said with most of the cities we don't have aligned visions, and what one jurisdiction might mean by agriculture is not what the county means by agriculture, for instance, the city means very low-density residential so staff have been working with some of the larger cities to develop what that spectrum looks like and determine if the visions are aligned. In general, do we have areas that perhaps can be served relatively soon but they might be applying through

the county for something that's very low density but if it gets to the city if it's that low density it doesn't make sense for services and so the public gets caught in the middle of what does the city want, what does the county want, and what do the neighbors want?

Caldwell P&Z Director Robin Collins gave a PowerPoint presentation was given on the following topics, and a copy is on file with this day's minute entry:

- Overview of Levels of Planning and Coordination Opportunities
 - Comprehensive Plan
 - Impact Areas
 - City Limits and Annexations
 - Zoning Designations
 - Development Applications
- Caldwell Comprehensive Plan Update and Public Outreach
- Area of Impact Boundaries and Inconsistencies with Comprehensive Plans
 - 2 examples (future proposals)
- Canyon County Campus Planning and Future Zoning District
- "Fairgrounds area" Special Area Plan
- Questions and Discussion
- Next Steps
 - Comprehensive Plan(s) coordination, public outreach and map development
 - Utilities master plans and detailed analysis
 - Caldwell Area of Impact proposal back to County
 - Coordination on Campus Plan and Zoning District
 - County Participation in Special Area Plan

Mayor Wagoner said an impact area is not just about land use planning, the biggest impact is to sewer and water and it requires planning so they are able to have proper flow. When impact area boundaries change or cities annex into other impact areas the issue becomes not having the proper flow of sewage and which becomes very expensive in terms of maintenance.

Deputy Director Morgan Beesaw reported on the City of Caldwell's comprehensive plan update process and efforts to get the public involved. They hope to adopt the final comp plan next spring and have early deliverables in April of 2024 followed by a draft vision document for the public. They will have a draft land use map and a draft existing conditions analysis that will be presented to the commission and council before summer to be used as a tool to guide future amendments until the final map and plan are adopted next year. Goals for the update are:

- Have the comprehensive plan boundary and Impact areas align with this update
- Update future land uses to be less intensive along the edges of the impact area / county boundary

- City desires an expansion of the Area of City Impact as part of this update
- Have a comprehensive plan with more guidance on density, land uses, and transitions

City of Caldwell Current Comprehensive Plan and Impact Area Boundaries

Current Comprehensive Plan Boundary: (37,111.25 acres)

North: Hwy 44
 East: Madison Road
 West: Chicken Dinner Road
 South: Lowell Road / Lone Star Road

Existing ACI Boundary: (30,169.12 acres)

The City of Caldwell’s planning area currently does not align with the City of Caldwell ACI boundary on the south end of Caldwell.

Impact area stops at Farmway Road, but Comprehensive plan boundary goes to Chicken Dinner

(See map depicted on slide 12 of the PowerPoint presentation)

The first proposal the City wants to discuss is:

Caldwell Area of City Impact Potential Expansion Proposal and Comprehensive Plan Area Boundary Realignment - 1

Expand impact area west along Ustick Road from Farmway to Wagner Road, then south to the lake, around the lake to Farmway, then north to connect to the existing impact area 0.25 mile south of Karcher.

Comprehensive Plan Area Reduction	Potential ACI Expansion
(5,578.89) Acres	+ 1,924.22 Acres

(See map depicted on slide 13 of the PowerPoint presentation)

Caldwell Proposed ACI Expansion - 1

Purpose:

Capture municipal growth that has occurred beyond the current ACI boundary, and to set a foundation for collaboratively planning this area with stakeholders and the County. The project will build 400 homes in the area.

The City has already master planned for the delivery of services in the area.

Utilities are expected to be extended within the potential ACI expansion area within approx. two (2) years.

(See map depicted on slide 14 of the PowerPoint presentation)

The second proposal the City wants to discuss is:

Caldwell Area of City Impact Potential Expansion Proposal - 2

Expand impact area from Hwy 44 north along the interstate, east on Purple Sage, north along El Paso Rd, around the city owned golf course and the school, then south on Hwy 30 to the northern corner of the golf course, then west approx. ½ mile past Farmway, then southwest to Mink, then west to Wagner, then south connecting back to Hwy 44.

Potential ACI Expansion
+ 2,026.75 Acres

(See map depicted on slide 15 of the PowerPoint presentation)

Caldwell Proposed ACI Expansion - 2

Purpose:

Capture Purple Sage golf course, which is owned by the city, and the city well that is located on the school property north of the golf course.

This will also set a foundation for collaboratively planning this area with stakeholders and the County.

The City has already master planned for the delivery of services in the proposed ACI areas and beyond.

Utilities are expected to be extended within the next five (5) to ten (10) years with the development of the city's north urban renewal area.

Area of city impact potential Expansion / proposed comprehensive plan boundary reduction summary:

	Existing Acres	Proposed Reduction	Proposed Expansion	Proposed Balance (Acres)
Comp Plan Boundaries	37,111.25	(5,578.89) Acres	0	31,532.36 acres

City Impact Area 30,169.12

0

3,950.97

34,120.09 acres

It does not look like there will be any overlap with what the City of Nampa has proposed for their expansion and what Caldwell is proposing for theirs, but this will be verified before a final consideration.

Joint Powers Agreement and Coordination

2005:

Joint Powers Agreement was adopted

2015:

Nampa/Caldwell Area of City Impact Expansion (Resolution 202-15)

2020:

County accepted the City of Caldwell's 2040 Comprehensive Plan and Map.

2023-2024:

County is actively engaged in the City's Comprehensive Plan update process and sits on the Comprehensive Plan Stakeholder Committee

Side Note:

*County Development Services Director and City Planning Director communicate on a regular basis.

County and City planning teams (now that we are both fully staffed or close to) will be enhancing our coordination and communication efforts moving forward.

Discussion followed. Director Minshall said DSD staff will meet with municipalities and planning staff for quarterly meetings.

Councilman Chuck Staddick asked where the line will be drawn for agriculture, is it Wagner Road or Chicken Dinner Road? Years ago, there was an understanding that Farmway Road was the boundary for agriculture going west and his platform has been to preserve ag land where it makes sense, but he has dissatisfaction with the latest development (the Chickasaw Project) which is located off Homedale and Farmway roads. Had it been advertised properly by the city there would have been a lot of opposition to it. Commissioner Van Beek said most of the development occurs within the cities and the county developments are significantly less and there has to be collaboration on where growth is taking place. Councilman Staddick spoke of how lot splits/developments are not favorable to the farmer because it restricts their ability to apply chemicals and fertilizer and it affects their water usage. Councilman Chris Allgood said when the widening of Karcher Road completes the interest in that area will grow immensely and if they widen all the way to Farmway Road all the bare land will become more valuable and so having a plan in place on how to address that will be vital. Director Collins said their planning area goes all

the way to Chicken Dinner Road, but they are proposing to bring it back to align to Wagner Road and they will no longer be planning on the 5,000 acres. If they are successful in getting the pink area on the map as part of their ACI expansion you would see lower densities out there because they would be adjacent to county land. They will look at single-family dwellings or larger lot developments. Commissioner Holton said the majority of the 5,000 acres the city plans to let back are prime farm ground, very large fields with seed producing crops compared to the city's area #2 which is reasonably good farm ground, but nothing in comparison. He is worried about preservation of farm ground. Director Minshall said they will continue to do some analysis, take site visit tours, talk with Nampa and Middleton, and have their public works directors come back and share where the utilities are and provide more detail before any sort of presentation is brought for adoption.

Other Updates:

- Canyon County Campus Planning and Future Zoning District
- Caldwell Event Center District Subarea Master Plan

Director Minshall said the county has a strong interest in formalizing a zoning district, based on the collaborative conversation with public works and planning on what are the pedestrian amenities, how are people getting to and from things, parking, and expansion needs. We want to say here is a zoning district, there may be a larger comprehensive planning district, but we would only zone that when the county owns it. The Sheriff's administration building project will commence within the next five months and she thought that would be a good opportunity when county owns so much land in the area to collaborate on where we have shared visions and how we can utilize the facilities and make sure we're on the same page about what the future looks like.

Councilman Staddick said the city is concentrating on infill where they have parcels of 1-3 acres surrounded by subdivisions, and they are trying to concentrate on those first before going to Wagner Road so let's get that filled up first and worry about expanding past Wagoner Road in the future.

Caldwell Events Center

Subarea Master Plan -

- Vision, goals, and implementation strategies
- Overall site design, parking and public amenities
- Identify potential land uses and layout for lodging, restaurant, and entertainment venues;
- Identify adjacent supporting areas and land uses
- Make recommendations for public-private and public-public partnerships.
- Potential transit-oriented development around the event district.
- Recommendations for regulatory updates, policies and/or standards
- Identify potential funding sources.

- Improvements to the event center district have long been envisioned by community leaders in order to create more opportunities for events and entertainment outside of what is available in Downtown Caldwell.
- In addition, the city desires to help draw further investment into the event district and surrounding supporting areas.
- The Caldwell Event Center District is defined as the area shown in red, with supporting areas shown in orange, green and blue.
- The green has a potential for transit-oriented development, where the blue represents the College campus area.
- 6-month time frame
- Initial meeting with City staff to review the project schedule, scheduled meetings, and the process of data acquisition.
- Kick-off workshop with representatives from the City of Caldwell, Canyon County Fair, College of Idaho, Caldwell Rodeo, and other stakeholders as identified.
- Public participation events and website
- Regular stakeholder meetings / workshops
- Presentation to City Council on final master plan document.

Director Collins said with the comprehensive plan update it's a great time to do a specific area plan for the Caldwell Events Center to help know the visions and goals and give some ideas for overall site design, parking, and how it could be redone. Identify land uses, such as what should the Rite Aid property redevelop into? Should it be a restaurant, a hotel, or an entertainment venue. The city has received informal bids for the potential project.

(See slides 22 and 23)

Councilman Brad Doty asked Mayor Wagoner if there is an update on resolution #50-02 and whether it is still valid. Mayor Wagoner said even though the board has not been meeting formally it doesn't dissolve. The stakeholders will meet in a couple of weeks to solidify it and move it forward, and it's his understanding that just by not participating or not meeting does not dissolve it. It requires the stakeholders to make the decision to dissolve it. Councilman Doty wants to make sure if that's the direction we're going that they are involved with the planning. It sounds like there are some bids, but that board didn't say to do that although in his opinion it is probably a good idea. He said the board needs to be involved with whatever is taking place. Commissioner Van Beek said there is a good partnership, but the document lays out that whoever owns the property bears the cost of the maintenance and she wants to know who is doing that? Commissioner Holton said the meeting that's scheduled for 2 weeks from now will be a good time

to explore that. Director Minshall said part of their consultant scope is to come up with some funding opportunities and that's where the discussion of who's going to participate where will happen. Councilman Doty said if we're going to follow Resolution #50-02, it sounds like the city has asked for bids to plan that master area already without the board being stood back up so he wants to make sure if we're going to follow #50-02 that we get that up and running quickly before we make any plans as to what we're going to do in this area. COO Greg Rast said there is Agreement No. 16-138 supersedes and abolishes the joint powers agreement and so it appears the board is gone. He thinks the joint venture is still good but we need to re-evaluate where we're at on a really old agreement with some other agreements that have come since. Councilman Allgood wants to see the city council adopt a new resolution with the current stakeholders and abolish anything prior and have an agreement that matches what we're doing today because what we were doing back then is very different than where we are today. The events center does not support itself and the city subsidizes it to some extent and the goal is for it to be self-sustaining. He asked Director Collins if the comment that low-density residential means something different from the county to the city. Director Collins said the city has two different residential estate zoning categories that are single-family, but they are on larger lots. They anticipate on the edges you might transfer from where the Chickasaw project is, where it's low-density residential, you would transfer to some rural estates along the edges where the impact area meets the county. Director Minshall said through our ACI agreements it does allow higher density in county areas if you're going to be in the city ACI assuming services will get there. We have talked about creating a continuum that illustrated what agriculture means in some areas which could also mean some residential uses, the different versions of lower density residential or higher density residential. We want to introduce how we are planning together - both comprehensive planning and zoning ordinances and updates - at least these two areas of ACI and expansions. They will come back with more discussion on utilities and an overview of both the county zoning district and the subarea plan. Mayor Wagoner said we need to work together and make sure we are on the same page and do what's best for the community. No Board action was required or taken. The meeting concluded at 4:06 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 13, 2024

APPROVED CLAIMS

- The Board has approved claim 603742 in the amount of \$28,881.00

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Taylor Peterson, Clerk IV (Civil Lead)

- Nereida Mireles, Clerk II

MEETING TO DISCUSS OUT-OF-COUNTY MUNICIPAL SOLID WASTE

The Board met today at 2:10 p.m. to discuss out-of-county municipal solid waste. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Solid Waste Director David Loper, Landfill Operations Manager Daniel Pecunia, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Loper explained that the landfill is regularly receiving customers and/or calls about taking out-of-county waste. And recently, IRWS, which is a private landfill between Boise and Mt. Home, had to temporarily close and CCSW is now receiving a lot of calls from those customers. Discussion ensued regarding Article 3, Section 02-03-07 of the Canyon County Solid Waste Disposal regulations which states that the landfill does not accept out-of-county waste, that the director has the discretion to accept up to 5-yards and anything above that amount would need to come to the Board for approval. Director Loper and Mr. Pecunia spoke about a recent exception outside of the ordinance guidelines they had to make and about how with the recent closure of IRWS there has been a request from Pacific Recycling about accepting waste generated from their metal shredder for a limited amount of time. Director Loper said in regard to taking out-of-county waste it would only be small amounts of household waste, it would not be commercial/industrial waste.

Commissioner Van Beek stated she will likely be more hardline on the policy as it the Board's responsibility to preserve the landfill into the future. Commissioner Holton expressed his concern with people repeatedly using Canyon County Landfill because it is more convenient and not taking their waste to the proper disposal location for the county in which they live.

The Board is supportive of the fee out-of-county waste being large enough encourage people to take their waste to the proper location. Director Loper said he will put some additional work into this in order to come up with a more structured policy and plans to work with Communications Specialist Chad Thompson for community outreach.

The meeting concluded at 2:37 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH HUMAN RESOURCE REGARDING CANYON COUNTY FAIR ASSISTANT DIRECTOR

The Board met today at 2:42 p.m. with Human Resources regarding a Canyon County Fair Assistant Director. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Fair Director Diana Sinner, Marketing and Sponsorship Coordinator Rebecca Coulter, HR Business Partner Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Sinner explained that during her budget meetings there was discussion regarding succession planning and need for a full-time staffing structure. With the opening of The Center,

expanded layout of the fairgrounds and sustained growth there is a need to have a secondary person to assist with operations. Today's resolution is to reclassify the Marketing and Sponsorship Coordinator position to a County Fair Assistant Director position as approved in the FY24 budget. Ms. Allen confirmed that HR has reviewed the job description and that the wage range falls within the salary grade for the position.

Commissioner Van Beek made a motion to sign the resolution adopting changes to the job title, job description, salary grade and FLSA status of one (1) position at the County Fair. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-039).

The meeting concluded at 2:48 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 3:00 p.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Jenn Odom and Deputy Clerk Jenen Ross. Ms. Odom presented the following cases to the Board for consideration:

Case no. 2009-1137: This applicant has fulfilled their obligation to the county and Indigent Services is requesting a lien release. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the lien release and issue a written decision within 30 days.

Case no. 2024-21: All eligibility criteria has been met for this case and Indigent Services is requesting approval for cremation. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the case.

The meeting concluded at 3:01 p.m. and an audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 14, 2024

APPLICATION FOR APPROVAL TO ACCEPT OUTSIDE EMPLOYMENT FORM

The Board approved an application to accept outside employment for:

- Debbie Cabodi

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

The Board met today at 10:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Facilities Director Rick Britton (left at 10:12 a.m.) and Deputy Clerk Jenen Ross. Deputy P.A. Zach Wesley joined the meeting at 10:37 a.m. The action item was considered as follows:

Consider Addendum No.1 to Invitation for Bids for the Elevator Modernization Project: This addendum addresses questions that have been submitted. There were 7 questions submitted which have been answered by Director Britton and legal. Proposals for the project are due March 19th. At the request of Commissioner Van Beek, Director Britton reviewed the questions and answers supplied in the addendum. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign addendum no. 1 to the invitation for bids for the Elevator Modernization Project.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 10:13 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek. Chief Deputy P.A. Carl Ericson and Deputy P.A. Oscar Klaas participated from 10:13 a.m. to 10:37 a.m. and Deputy P.A. Zach Wesley joined the meeting at 10:37 a.m. The Executive Session concluded at 11:18 a.m. with no decision being called for in open session. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Public Hearing: Request by Darren Goldberg/LGD Ventures, LLC, for a conditional rezone from an "A" (Agricultural) Zone to a "CR-R-R" (Conditional Rezone - Rural Residential) zone; and Preliminary Plat for Lewis Heights Subdivision, Case nos. RZ2021-0030 & SD2021-0018

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 15, 2024

No meetings were held this day.

APPROVED CLAIMS

- The Board has approved claim 603775 in the amount of \$2,087.36

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Jenen Ross, documenting removal of specialty pay (no salary change)
- Parker Smith, add CERT team pay
- Tomas Gomez, add CERT team pay
- Cody James Ghighina, add CERT pay
- Cory Ray Kondeff, add CERT team pay
- Nicholas Talbot, remove CERT team pay
- Eric Eskek, equity adjustment
- Amanda Hedrick, transfer back to dispatch
- Mallory J. Loeb, Deputy Coroner new hire

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Raising Our Bar to be used 4/13/24 and 4/27/24

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- State Street Auto Sales in the amount of \$35,214.00 for Fleet/CCSO (PO #5952)
- Park Place Technologies in the amount of \$5207.88 for the Information Technology department (PO #5983)
- Dell in the amount of \$13,291.20 for the Information Technology department (PO #5982)
- Hess Construction in the amount of \$12,100.00 for the Facilities department (PO #5933)

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 18, 2024

There were no meetings scheduled for today.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 19, 2024

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Craft Lounge to be used 3/28/24.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Rebecca Coulter, Promotion to Fair Assistant Director
- Jeremy Daniel Hawkins, Deputy Sheriff, Inmate Control

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

The Board met today at 9:30 a.m. for a meeting with County attorneys for a legal staff update and to consider action items: Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Clerk Rick Hogaboam (left at 9:42 a.m.), Facilities Director Rick Britton (left at 9:33 a.m.), DSD Director Sabrina Minshall, Elections Office Manager Haley Hicks (left at 9:42 a.m.), JoDee Arnold (left at 9:42 a.m.), Representative from Young Elevator (left at 9:33 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Open Bids for Elevator Modernization Project: One bid was received on March 18, 2024 at 9:55 a.m. from Young Elevator. The bid materials will be forwarded to Director Britton for review.

Consider Declaration and Notice of Sole Source Procurement for ballot printing units from Hart InterCivic, Inc: Clerk Hogaboam explained that the Verity print technology with Hart is the only technology they are aware of that is capable of using the unique identifiers which is elections intention to use. It's a wholistic system that integrates into many of the assets already used by the elections office. A couple months ago the idea was to acquire more of the Duo units but at this time they would like to move to the print-on-demand options. This initial purchase would be for 20 units in order to see how they operate. Print-on-demand will allow for paper ballots to be hand marked at the polling location. They anticipate having 47 polling locations so not every precinct would have these units but they would put them in the higher volume precincts where they could be put to good use. This will not do away with the Duo units, they will still be deployed as planned but now print-on-demand will be available at 20 of the busiest precincts; they will also be used at the two early voting locations. Clerk Hogaboam spoke more to the benefits of these units including the ability to print absentee ballots, reduced cost compared to the Duo units and that they are isolated units with no connectivity. Commissioner Van Beek made a motion to sign the declaration and notice of sole source procurement to take comment on the record on April 9th at 3:00 p.m. in the Commissioners' meeting room. The motion was seconded by Commissioner Brooks and carried unanimously.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:43 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, DSD Director Sabrina Minshall and COO Greg Rast. Director Minshall left the meeting at 10:11 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 FCOS, DEVELOPMENT AGREEMENT AND ORDINANCE FOR MARK JOHNS, CASE NO. CR2023-0001

The Board met today at 10:30 a.m. to consider the FCOs, development agreement and ordinance for Mark Johns, case no. CR2023-0001. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, DSD Associate Planner Madelyn Vander Veen, DSD Office Manager Jennifer Almeida, GIS Supervisor Tony Almeida, Alan Almeida, Keri Smith, Connie Aebischer and Deputy Clerk Jenen Ross.

Director Minshall feels that due diligence has been done on this file and the documents are ready for Board signatures. Mr. Wesley explained that this case come thru the planning and zoning commission initially as a denial and was then properly noticed as a conditional rezone for the Board hearing. The Board's decision was to overturn the planning and zoning commission's recommendation and approve the application. In regard to the question as to whether a second hearing was required under LLUPA, Mr. Wesley said there is a bit of disagreement and is subject to interpretation of the law. He has spoken with their attorneys who recommend a second hearing but administratively their directors don't hold a lot of additional hearings. In the research he's done they've discovered that Canyon County may be an outlier in the practice of conducting second hearings and the more common approach is to not have a second hearing unless there is a comprehensive plan change. In the time that Mr. Wesley has worked for the county, the administration of a 2nd hearing has been sporadic. On cases like this where it went from denial at P&Z to approval by the BOCC the county has not consistently held second hearings, many times the FCOs have just been signed. Second hearings would mainly be held on larger cases or if it moved to a denial, and was often at the request of the developer or the applicant to determine conditions if it's an approval. His understanding is that there is some legislation working its way thru to strike this section of the code in order to clear up any confusion. On this particular case, it is his opinion that it

would be typical of the county's practice to not have a second hearing which would be defensible in court.

In response to a question from Commissioner Van Beek, Director Minshall reiterated that having a second hearing has not always been consistent so getting some consistency will be helpful. She said Canyon County is one of the few jurisdictions that conducts second hearings even if inconsistently. In this specific case, the proposed conditions – if approved – were in all the documents and discussed in the last hearing. The only nuance to that in terms of policy is that the Board wasn't really overturning P&Z, it's not a decision, it's just a recommendation.

Commissioner Brooks stated he is in favor of moving forward and signing this, he believes that the state statute is pretty clear and there is no comprehensive plan amendment in this case.

Commissioner Holton stated that this was an uncontested hearing, no one showed in opposition and the proposal is to split the property in half in his opinion. He doesn't see the purpose a second hearing would serve.

Commissioner Brooks made a motion to approve and sign the FCOs, development agreement (agreement no. 24-025) and ordinance (ordinance no. 24-001) for Mark Johns, case no. CR2023-0001. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:47 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Brad Holton, Case Manager Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross. Ms. George presented the following cases for consideration:

Case no. 2015-1386: The obligation to the county has been satisfied and release of liens is being requested. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the release of liens and issue a written decision within 30 days.

Case no. 2024-22: This case meets the eligibility criteria for cremation and upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to approve the case.

The meeting concluded at 10:49 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY ZION VENTURES, LLC, FOR A CONDITIONAL REZONE FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-C-2" ZONE, CASE NO. CR2023-0008

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Zion Ventures, LLC, for a conditional rezone of a 30.42-acre parcel from an "A" (Agricultural) zone to a "CR-C-2" Zone, Case No. CR2023-0008. The request includes a development agreement limiting the use of an outdoor storage facility for recreational vehicles, campers, boats, trailers, and trucks. The subject property is located at 19933 Midland Blvd., in Caldwell. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, DSD Director Sabrina Minshall, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Dan Lister, Andrea Chester, Kevin Chester, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that she has property located in proximity to this request but it should not affect her ability to make a reasoned decision. Neither Commissioners Brooks nor Holton had any disclosures or declarations to make. The applicant was not present for today's hearing. Andrea Chester and Kevin Chester were in opposition to the request but did not offer testimony. DSD Principal Planner Dan Lister gave the oral staff report. The applicant purchased the property in 2021 and it has available lot split. There is an existing dwelling on the parcel that will be used for a caretaker's office until it's removed for more storage stalls. The development agreement provided will restrict the use to ministorage, RV storage, and a caretaker unit. The property is located within the City of Caldwell impact area and the average lot size within the vicinity is 20.57 acres. The character of the area is predominately agricultural and the parcel and surrounding area still has agricultural uses with best suited soils and are considered prime farmland. Within a one-mile radius there are 22 subdivisions with a total of 1,146 lots which is a .29 acre average lot size. All subdivisions, with the exception of one, is located within the City of Caldwell. The parcel is zoned agricultural, and the properties to the north, west and northeast are zoned M-1 and C-1. In 2003 a conditional use permit was approved for an outdoor storage facility, about 1,500 feet east of the subject property. The 2030 comprehensive plan designates the property as commercial, and the City of Caldwell designates is as highway corridor which includes land that is suitable for a blend of highway-oriented commercial uses, business parks, limited light-industrial uses, educational offices, and high-density residential use. The proposal will not connect to any water or sanitary services. The City of Caldwell's services are 3,000 feet west of the property. The Caldwell Fire District supports the request subject to conditions and they sent a letter addressing fire hydrants on site, which would require city services. The request will take access off Midland Blvd., a principal arterial. Canyon Highway District No. 4 will require an approach permit at time of development, and they may require a traffic impact study. The Idaho Transportation Department has no concerns. The phased approach of the use will align with the widening of Highway 20-26 scheduled to begin in 2024. The Canyon Soil Conservation District recommends denial due to the area still being in prime farmland. The City of Caldwell recommends denial. The parcel is surrounded by city jurisdiction on all three sides and therefore they request the parcel be annexed into the city. If not, they request it be denied as the requested use is not allowed in the highway corridor designation and may impact future planned mix use development. The City of Nampa sent a letter supporting future plans by the cities in that location. The applicant does not want to annex, and city services are not available. They agreed to conditions that would require them to annex if there is redevelopment of the property, or if water or sanitary services are ever required for that use. On December 21, 2023, the Planning and Zoning Commission recommended the Board deny the conditional rezone request finding that the change is premature and should remain in agricultural use until the city of Caldwell and highway improvements are available. Upon the motion of

Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Commissioner Van Beek supports the recommendation by the P&Z Commission and said the City of Caldwell has asked us not to block their path to providing infrastructure to the requested development that is active in this area. This area has had tremendous growth and she believes the request will have an impact on the area. When Caldwell decides what the highest and best use for the ground is, it should include city services like the other parcels around it. She is opposed to this development as it is inconsistent with what is planned for the area by Caldwell. Commissioner Holton supports the draft FCO's. Commissioner Brooks said he concurs with the comments made by Commissioners Holton and Van Beek, and said there will be a lot of traffic off a two-lane road. It is prime agricultural ground surrounded by other city agricultural ground and the absence of a particular group or people associated with extra concern for the protection of that ground not being here and providing feedback is noted because it seems like even though 5% of the growth is in the County the cities get a free pass at chewing up the best ground. He concurs with the P&Z Commission's recommended denial. Commissioner Holton said it's not the highest use for the property and it's a current use of high production agricultural ground. This proposal is not the right choice right now, but perhaps at a distant point in the future. Commissioner Van Beek made a motion to deny the request based on the FCO's, with the addition of reasons for denial on item no. 5 due to insufficient water, sewer, and irrigation, and item no. 6 that the streets will be impacted and it's an insufficient intersection and roadway to handle the volume of anticipated traffic. The motion was seconded by Commissioner Brooks and carried unanimously. The FCO's will be brought back at a later date. The hearing concluded at 2:02 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 20, 2024

APPROVED CLAIMS

- The Board has approved claims 604148 to 604186 in the amount of \$79,121.26
- The Board has approved claims 604187 to 604221 in the amount of \$33,619.00
- The Board has approved claims 603743 to 603774 in the amount of \$42,858.77
- The Board has approved claim 603776 in the amount of \$35,214.00

APPROVED MARCH 22, 2024 PAYROLL

- The Board approved the March 22, 2024 payroll in the amount of \$2,285,560.17

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Kendall Ford in the amount of \$38,000.00 for the Fleet department (PO #5953)

DETAILED MINUTES TO FOLLOW:

PUBLIC MEETING (NOT PUBLIC HEARING) FOR DSD STAFF TO REVIEW AN ORDINANCE OF CANYON COUNTY, IDAHO, AMENDING CHAPTER 1, ARTICLE 17: LAND USE/LAND DIVISION HEARING PROCEDURES; OF CANYON COUNTY CODE OF ORDINANCES; AND SEVERABILITY CLAUSES; AND AN EFFECTIVE DATES

COMMUNITY INPUT MEETING

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 21, 2024

FILE IN MINUTES

The Board filed the Treasurer's monthly report for February 2024 in today's minutes.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$16,104.64 for the Information Technology department

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Norma Trujillo, documenting removal of specialty pay (no salary change)
- Brandon Black, documenting removal of specialty pay (no salary change)
- Jenna Raino, PT Interpretive Specialist
- Mark Stradley, PT Interpretive Specialist
- Keiarin Lawrence, PT Interpretive Specialist

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

The Board met today at 9:40 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Cpt. Ray Talbot (left at 9:45 a.m.), Cpl. Darin Freiburghaus (left at 9:45 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing E-Payment Services Agreement with Point & Pay, LLC.: Cpt. Talbot explained that this service has been used for 10+ years but with this updated agreement Point & Pay will provide new card readers at no cost, it brings the DMV closer to compliance with ITD standards on how credit card payments are processed, allows for the fee to be waived on charges under \$10, a dedicated technical support person and assurances on their network stability. Today's agreement will extend

the contract by 3 years. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the e-payment services agreement with Point & Pay, LLC (agreement no. 24-026).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:46 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. 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 and COO Greg Rast. The Executive Session concluded at 10:09 a.m. with no decision being called for in open session. The meeting concluded at 10:09 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 22, 2024

No meetings were held this day.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 25, 2024

APPROVED CLAIMS

- The Board has approved claim 603854 to 603886 in the amount of \$24,886.14

TREASURE VALLEY PARTNERSHIP MEETING

Canyon County hosted this month's Treasure Valley Partnership luncheon meeting.

Although a Board majority is expected to attend and participate, this is not a Commissioner meeting. There will be no motions, action items or Board direction entertained or given.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 26, 2024

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 27, 2024

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 28, 2024

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 29, 2024

Draft Only

There were no Board of Equalization matters that came before the Board this month.

THE MINUTES OF THE FISCAL TERM OF MARCH 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 _____ day of _____, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek

Commissioner Brad Holton

Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: _____, Deputy Clerk

Draft Only