

Message from the Chief Operating Officer (COO), Greg Rast

I would like to personally thank everyone for coming out and expressing your thoughts and voicing your concerns about Canyon County business. We appreciate the professional decorum, constructive criticism and gratitude shared by those who attended.

I will do my best to pull out the questions from statements and general comments; below are answers and explanations to the questions and comments that were brought up during the meeting. The Board's TRUST core values were mentioned at times throughout the evening and we take these core values seriously. We want our commitment to be evident in our relationship as a Board and our interactions with the public. Transparency and Respect are the first two values for a reason and we will focus more effort on those areas. My apologies in advance if I missed something.

I placed audio time markings regarding the questions or comments if you want to follow along while leaving names out.

Questions and Answer Section – Audio Reference (1 Hour 13 Minutes 39 Seconds)  
[Commissioners' Agenda 03-20-2024 \(id.gov\)](#)

*Audio 03:18*

**Land-Use Hearing Procedures and Late Exhibits. Please consider giving information or evidence at the hearing and if the late exhibit is substantial, would it be possible to continue the hearing at a later date to allow more time to evaluate the information? Referencing Idaho Statute 67-6534.**

COO Answer:

This topic has been discussed in length about hearing procedure amendments to create a model of fairness model. All parties—those for, against, or neutral—must have time to digest the information before a decision is made. The County has had inconsistent practice for decades and it's causing issues for hearing bodies to make clear decisions. The judgment on accepting or not accepting late exhibits varies; it can create conditions of approvals during the hearing and possibly delay decisions from the hearing body. This new repetitious standard should streamline the process to provide a consistent practice.

DSD Director Response:

*Note: all below jurisdictions are only providing legally required mailed notice, newspaper notice, and signposting at the state law minimum of 15 days prior to hearing, and mailed property owner notices at 300-500 feet unless heavy industrial or wireless communication facilities.*

67-6509. RECOMMENDATION AND ADOPTION, AMENDMENT, AND REPEAL OF THE PLAN. (a) The planning or planning and zoning commission, prior to recommending the plan, amendment, or repeal of the plan to the governing board, shall conduct at least one (1) public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the plan to be discussed shall be published in the official newspaper or paper of general circulation within the jurisdiction. The commission shall also make available a notice to other papers, radio and television stations serving the jurisdiction for use as a public service announcement. Notice of intent to adopt, repeal or amend the plan shall be sent to all political subdivisions providing services within the planning jurisdiction, including school districts and the manager or person in charge

of the local public airport, at least fifteen (15) days prior to the public hearing scheduled by the commission.

*DSD is providing the notices 41 days prior (with posting shortly thereafter). So, with notice 41 days prior, even with the 20 days prior requirement of written exhibits or documents, that gives 20-21 days while these other jurisdictions are at 15 (until hearing if they accepted it at the hearing).*

*Public hearing timeline process in blue box at this link: [Land Hearings | Canyon County \(id.gov\)](#)*

[Land Hearings | Canyon County \(id.gov\)](#)

The Development Services Department reviewed other jurisdictions' ordinances related to hearing procedures and had verbal conversations with other Planning Departments. Some planning departments *do* accept into the record exhibits at the hearings, however they indicated they have not had the challenges Canyon County has encountered in terms of the quantity of "late exhibits" or written materials at the actual hearing. In most cases, the staff report packet is transmitted to the hearing body five days prior to the hearing date. Canyon County hearing bodies currently receive the hearing packets ten days in advance. When received, and if accepted, they confirmed that their hearing bodies usually do not read the materials at the hearing to be able to consider them or reference them in the ultimate decision.

The way cities and counties' ordinances address written materials or exhibits at the hearings and/or the submission timelines vary greatly. Some ordinances do not address the detail processes at all, and it has been at the discretion of staff or the hearing bodies.

- Pocatello- "Written testimony containing more than two (2) pages must be submitted at least **five (5) working days prior to the date of the pertinent public hearing. Written testimony of less than two (2) pages may be submitted at a public hearing. The presiding officer may require an oral reading of such written testimony** if deemed beneficial or if requested by a party interested in the proceedings."
- Ada County- (on their website as information)- "Please note that **all written testimony must be submitted by the close of business the Thursday prior to the hearing.**" (hearings are on the next Wednesday 2X a month only). Ada County ordinance on "Record"- The staff report shall automatically become part of the record as shall any documents submitted by the close of business on the Thursday before the hearing date by the applicant/appellant and the public, as shall all testimony given at the hearing."
- Eagle-(on their website as information)- Anyone can submit written comments by email, mail or in person. Comments must be received **no less than five (5) days prior to the scheduled hearing date.**" Eagle ordinance 1-8-3: "Standards for Written Testimony. Written testimony submitted for inclusion in the record of any public hearing shall comply with the following standards: 1. Written testimony must be submitted to the city clerk no less than five (5) **Working Days** prior to the day on which the public hearing is scheduled."
- Nampa- In the hearing protocol section of their ordinance related to conduct of the hearing it lists the order of the hearing. After the staff presentation, the next step is: "Written correspondence shall be officially recognized and accepted as part of the hearing record for the matter at hand under review."

Nampa also does have an interactive online public comment submission process with each hearing having a “bubble” to submit up until when the packet is transmitted.

- Meridian- In ordinance *“Time limit for speakers.* In the notice of the public hearing or at the commencement of the public hearing, the Mayor may establish a time limit to be observed by all speakers. The time limit shall be established depending on the number of speakers who sign up for each public hearing and shall apply only to the speaker's comments. **The Mayor may also, either in the notice of the public hearing or at the close of the hearing, indicate that written testimony shall be received and set a date and time when such written testimony must be submitted in order to be included in the written report.**
- Caldwell- Not in ordinance, process only. Anyone can submit written comments up to eight days prior to the hearing, and those will get included in the staff report. They can also submit comments up to the day of the hearing, and those are entered in as late exhibits. The applicant is the only one who presents any presentations. **We do not allow the public to do presentations or drone footage or anything like that.** All late exhibits do get put into the record as evidence, and **when they are late exhibits, the planner reads them during the public hearing to the council or commission.** Has an online form to register to provide testimony at a public hearing with submissions due 24 hours in advance. They do allow signing in as well at the public hearing.
- Boise- City Ordinance “Submission of Written Documents and Evidence to a Review Body:
  - A. Every document referred to by any person during testimony (including charts, maps, photographic evidence, or any other physical evidence) shall be identified and entered into the record of the proceeding. Such exhibits shall be incorporated into the public record in the Planning and Development Services Department. **In most cases, a decision will be made at the end of the hearing; therefore, it is strongly encouraged that documents be given to the Planning and Development Services Staff as early as possible before the hearing so that all evidence will be adequately reviewed by staff and the review body.**
  - B. A review body cannot review written documents handed to them during the hearing while listening to verbal testimony. Further, the submission of such documents does not allow other parties time to address the material. **Therefore, the submission of written information to a review body may be accepted to the extent that it is a copy of the testifying party's oral testimony presented to the review body. All other written testimony and documents shall be submitted to the Planning Director by 5:00 pm. on the Thursday preceding the review body hearing in order to be included in the record presented to the review body.”**

*Audio 06:53*

**Why do Public Record Requests take longer than a week? (Referenced Sheriff’s Office, IDWR, SWDH, Highway District 4)**

COO Answer:

I can only speak to the Canyon County process, but in today’s world, Public Record Requests (PRR) have significantly increased across all facets of County business to the point it floods legal staff and other executive leaders in the County to take the time to receive the request, gather the information, redact as necessary to protect public Personally Identifiable Information (PII), and then coordinate a response. If it takes longer than 3 days, the County will notify that an extension to 10 days is necessary. I have

dealt with PRR and discovery productions for 25 years and I feel the County does a really good job producing the documents within this time frame based on that workload.

Thank you for the great feedback on options around possible amendments that include changing the 41-day process to a 61-day process to give those 20 days back to the residents to collect information, and allow brief exhibits including PowerPoint presentations, photos, and/or videos 3 days prior to the hearing to determine if the material is appropriate. I appreciate feedback that includes possible solutions.

*Audio 10:19*

**General comments around the cause and effect of the seed industry and potential negative impacts of Chapter 1, Article 17 Ordinance Amendment. Understand streamlining the process and need to consider the seed industry.**

*Audio 11:55*

**Asking the Commissioners to be more respectful to the constituents on public comments and concerns to avoid confirmation bias, hold more public meetings, especially on Mondays and Fridays, and referenced Open Meeting Laws.**

COO Answer:

A couple of roles I play beyond the coordination of internal County operations and policy is to watch for Open Meeting Violations and Serial Meetings. This is the fifth Board I have reported to since 2015 and I have to say, this Board upholds this standard the best. The Board and I follow this guideline in which I work to carry out decisions made on the record or handle the day-to-day administrative actions.

74-202. OPEN PUBLIC MEETINGS – DEFINITIONS. As used in this chapter:

(1) "Decision" means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present, **but shall not include those ministerial or administrative actions necessary to carry out a decision previously adopted in a meeting held in compliance with this chapter.**

I completely understand outside perception and the misunderstanding that Commissioners don't work on Mondays or Fridays, they put in a full-time effort. After becoming COO and listening to the concerns of elected officials and department administrators regarding missed or cancelled meetings caused by previous Boards, I put this new schedule into effect in January 2023 for this current Board. I also had my own observations of working directly for and with Canyon County Commissioners since 2015 as the Chief Information Officer and Elected Officials in other capacities since 2001. In quick summary, the bulk of public meetings are to be scheduled Tuesday-Wednesday-Thursday leaving Mondays and Fridays as overflow, if needed. This allows Mondays and Fridays for the Commissioners to prep for upcoming public meetings, participate in community events, catch up on phone calls, stay in tune with legislative issues, and any scheduled time off if needed for personal reasons. Having a set schedule keeps rescheduling meetings to a minimum and I feel we owe the County leaders and the public the respect to provide informed and prepared decisions and stay on schedule. Commissioners have to deliberate and vote in a public meeting on every agreement, contract, MOU, RFP, public notifications, procurements, and any other document that requires a Canyon County signature. The Commissioners are the only authorized signature authority for Canyon County. As you can imagine that's a lot. This Board likes to review everything before voting so giving them time to review documentation independently in their offices is paramount. This also gives Commissioner staff time on those days to finalize meeting minutes,

upload audio, handle PRR or inquiries, file, and maintain Clerk deputized functions. This is the reason why meeting minutes are caught up and public meetings are seldom moved or cancelled.

I appreciate the candid feedback on perceived confirmation bias and a lack of respect. This is good awareness for the Commissioners as they conduct the people's business. The Commissioners heard this sincere feedback and will do their best to address it.

*Audio 13:40*

**What criteria is used for choosing to limit testimony to ensure fairness to the applicant and opposing party to avoid perceived bias?**

DSD Director Answer:

Canyon County Hearing Procedures and the Canyon County Planning and Zoning Commission bylaws set forth testimony time parameters, but it is at the discretion of the Chair of the hearing body to allow additional time or to limit testimony. New proposed hearing procedures are more prescriptive of the process, but discretion is still allowed.

Concerns were shared around ordinances and policies being created right now and went through concerns around the ordinance 01-17-19. I appreciate the public input and by working together we can make things better.

*Audio 16:38*

**Brad, is it your intention to run again for Greenleaf Mayor?**

COO Answer:

Out of respect to the meeting rules, this one is off-limits. Only in my humble opinion; his commitment to nearly 30 years of public service to the City of Greenleaf is a well-respected tenure amongst his political affiliations, friends, colleagues, and constituency. This decision to determine if he will run again or not is only owned by Brad Holton and his family. He has a strong faith that leads his beliefs in ethics, service, and community. I do believe this will be a tough decision he will be faced with to hand over efforts to a newly elected Mayor.

*Audio 18:39*

**Will there be public notifications on the specific dates for the Workshops and meetings for the 2025 budget? Will the Canyon Budget hearing in August be a public meeting?**

COO Answer:

Yes, to the best of our ability. We are going to follow a similar format as last year for the upcoming fiscal 2025 budget process. There will be community budget request meetings, two rounds of department and office workshop budget request discussions, the Clerk's suggested budget presentation, and Clerk/Board public meetings as needed building up to the tentative budget for adoption. Letters from the Clerk to all department administrators and elected officials will be sent by the middle of April kicking off the budget season. The budget season spans from April to the end of August, possibly the first week in September. This is a very involved process so keep an eye on the agenda for these meetings. I will be having discussions with the newly appointed Clerk, Rick Hogaboam on how we can additionally advertise meetings. I'm excited to work this year directly with the Clerk around the County budget and also the engagement between Commissioners and the Clerk in public meetings.

**My second question/comment is about the ARPA funds. I'd like to hear your positions on enlisting these federal funds for use in Canyon County. The biggest change to the expenditure budget is the \$33 million increase in ARPA projects.**

COO Answer Part 1:

We applied and received ARPA funding in two payments (\$22,322,737 – 6/28/2021 / \$22,322,737 – 6/13/2022 = \$44,645,474) to be used as revenue replacement since the Covid pandemic hurt the County financially as it did globally; that was the county's share. Meaning, that the money has been received, and put in a separate fund for reporting and to gain interest; we've been using it for specific projects and expenses since receipt and the most recent efforts are outlined in the FY2024 budget book. The criteria by federal guidelines is the money can be used for County business or specific projects or expenses. The use of this money is to avoid using property taxes for these items. For example, we've used ARPA money for our annual lease payment of 1.4 million for the temporary POD6 female inmate facility. The other federal guidelines is for the money to be either spent or in contract for specific items by December 31, 2024, and/or spent by December 31, 2026. Any ARPA monies left over after the 2026 deadline are defaulted and sent back to the federal government except interest earnings. There is one exception, we cannot use these funds to build a new jail. This is why you see a \$36 million allocation in the FY2024 budget to start using these funds to dedicate to projects needed for County-mandated services to meet those federal deadlines. If you take ARPA one-time monies out of the FY2024 you will notice it is roughly the same as the FY2023 budget set at ~\$127 million.

**Project #2 is for the Sheriff's Administration Building for \$26 million. What is the project? Will this project encompass an expansion to the jail?**

COO Answer Part 2:

Actually, the Sheriff's Administration Building project is phase 1 of a potential new jail effort. We have to vacate some Sheriff staff out of the Dale Haile Detention Center (Jail) and move critical infrastructure (technology, dispatch, intake, water, sewer, etc.) Adding a new Sheriff's building using ARPA funds and not property tax allows us to do this and create more space for critical services of the Sheriff's Office. This effort also helps other local city law enforcement agencies to have access to interview rooms, an emergency operations center, and a new dispatch area amongst other services to build those partnerships.

**My third question/comment is about the Commissioners priorities. I totally agree with the increase in staffing the Sheriff's Deputies. Could you expand on the duties and needs for a Risk and Safety Manager?**

COO Answer:

In the FY2024 budget book, this was one of many priorities the Commissioners wanted to address for public safety. Sheriff Kieren Donahue and Chief Deputy Doug Hart proposed a 3-year plan to expand patrol services. This plan presented 4 new Deputies and 1 new Marine Patrol Deputy in Fiscal Year 2024 which was approved, 4 Patrol Deputies in FY2025, and 4 Patrol Deputies in FY2026. These 4 new approved Deputies have been filled and have been put in rotation. Keep in mind with every new Patrol Deputy comes additional expenses which include: uniform and protection devices, rifles, EMS kits, side-arm, radios, police vehicle, training, certifications, etc.

The Risk and Safety Manager is ensuring that Canyon County is working in a safe environment; reducing risk and enforcing safe practices throughout the departments and offices of Canyon County. By doing this, it reduces workmen's compensation claims saving the taxpayer in this type of expense of doing business. Examples of higher-risk areas are the Jail, Landfill, Facilities, Weed & Pest, Juvenile Detention, Fair, Parks, and other jobs that require physical work.

**My fourth question is about the Fund Balance/Reserve. With the projected Property Tax Request of \$56,351,934, what is the projected Fund Balance/Reserve?**

COO Answer:

The published projected balances by the previous Clerk and Controller are as follows:

<b>County Funds</b>	<b>2024 tentative expenditure budget</b>	<b>2024 anticipated revenue from sources other than current property tax</b>	<b>2024 property tax dollars levied</b>	<b>2024 budgetary use of fund balance</b>	<b>Projected fund balance 09/30/2023</b>	<b>Calculated fund balance 09/30/2024</b>
Current expense	\$ 45,158,809	\$ 22,741,322	\$ 13,224,663	\$ (9,192,824)	\$ 22,398,796	\$ 13,205,972
County weed control	398,759	120,000	255,000	(23,759)	154,555	130,796
Assessor's reappraisal	4,370,462	61,000	3,600,000	(709,462)	1,231,422	521,960
District court	12,812,808	4,028,301	5,650,000	(3,134,507)	4,605,291	1,470,784
Southwest district health	2,337,527	35,000	2,335,000	32,473	217,389	249,862
County fair	2,447,084	1,390,496	1,400,000	343,412	133,992	477,404
Parks and recreation	2,044,257	393,640	1,600,000	(50,617)	446,232	395,615
Historical society	50,456	-	50,000	(456)	18,978	18,522
Tort	1,450,000	-	1,500,000	50,000	455,192	505,192
Justice	42,185,652	15,281,403	26,750,000	(154,249)	8,993,750	8,839,501
Court device	70,000	21,860	-	(48,140)	173,436	125,296
Waterways	303,670	235,000	-	(68,670)	58,325	(10,345)
American Rescue Plan	38,106,840	38,106,840	-	-	-	-
Court facilities	70,000	80,000	-	10,000	265,515	275,515
Emergency communications	1,371,642	1,643,900	-	272,258	3,989,860	4,262,118
Treatment courts	526,861	444,170	-	(82,691)	283,809	201,118
Consolidated elections	507,950	488,000	-	(19,950)	59,994	40,044
Canyon County dispatch	2,770,224	2,600,000	-	(170,224)	207,047	36,823
Landfill	8,542,053	8,492,840	-	(49,213)	17,500,000	17,450,787
<b>Total county operating funds</b>	<b>165,525,054</b>	<b>96,163,772</b>	<b>56,364,663</b>	<b>(12,996,619)</b>	<b>61,193,583</b>	<b>48,196,964</b>
<b>Special revenue taxing districts</b>						
Pest control	320,399	48,246	289,309	17,156	315,004	332,160
Melba gopher	12,000	518	12,000	518	14,156	14,674
<b>Grand total</b>	<b>\$ 165,857,453</b>	<b>\$ 96,212,536</b>	<b>\$ 56,665,972</b>	<b>\$ (12,978,945)</b>	<b>\$ 61,522,743</b>	<b>\$ 48,543,798</b>

By Removing ARPA one-time monies of 38,106,840 leaving a 127,418,214 (FY2024) approved budget compared to 127,566,089 (FY2023) and removing 17,450,787 Landfill fund balance, the projected fund balance will most likely range from 24.2% - 25.86%, but that's only if we expend all of the FY2024 budget; typically, there is unspent budget money that will bring that percent up slightly. As you can see in the FY2024 Budget Book, by not taking the 14 million in property taxes for FY2023 and using supplemental fund balance, this action put us behind on our general fund balance strategy.

Based on the last 5 years of property tax draw from just the County we have stayed flat which has caused issues keeping up with mandated services, inflation, operational costs, public safety funding including deputies, elections, jail operations, and all 30+ offices and departments providing service to the constituency. The previous Clerk has been using fund balance to save property tax pulls, which is good, but now it has put the County in a bind to keep up with the unprecedented growth in Canyon County.

Last 5 years of Commissioner-authorized property tax levied:

FY2020 – \$54,119,386 Property Tax

FY2021 – \$53,970,567 Property Tax

FY2022 – \$53,684,567 Property Tax

FY2023 – \$40,000,000 Property Tax (used \$14 million from fund balance)

FY2024 – \$56,351,934 Property Tax

\*Landfill Enterprise Fund (We can't use those funds for other County expenses, meaning they are dedicated to the Landfill.) By Statute, the Landfill fund has to carry an approximate \$10 million fund balance in the situation where the County has to shut down the landfill. It would take that cost to shut it down, cover it, and make sure we've complied with all local and federal requirements.

**With the decreased 2023 request, the Fund Balance was projected to be reduced to about 45% of annual expenses. This amount is closer to the 30 to 35% business world target. With the 2024 Request, what is the projected percentage? It appears that the property tax rate for 2024 will increase by 30%. Even though this amount is lower than the 2022 rate, do you think the property owners will be educated enough to understand that overall property taxes will be higher than in 2023 but lower than in 2022?**

COO Answer:

As you can see from the previous question with our fund balance projections, they are a little lower than I like to see, which is lower than the 30% - 35% that you felt comfortable with. We will most likely have to consider a 3% increase and 3% New Construction to build back up reserves for FY2025, but that will be deliberated between the Clerk and Board in open meeting(s). Our annual operational costs are going up based on our growth. The Assessor reported that Canyon County added \$1.4 billion in net-taxable value based on the increase of Commercial, Residential, and some Agriculture. That growth in population and services adds to the burden of mandated County public services. It's a balance of keeping taxes low while keeping services going. Keep in mind, look at your property tax bill, the County portion is not the high increase, it's the other taxing districts on your bill, for example: schools, emergency services, mosquito, cemetery, city, etc. Taxpayers think all their taxes are going to the County where in fact the property tax bill is spread out amongst many taxing districts; the County just collects those other taxing district payments and pays those collected monies back out one-for-one as a money pass-through.

*Audio 22:56*

**Can the hearing body ask if the representative speaking is the applicant or a representative speaking on their behalf?**

DSD Director Answer:

Yes. The Canyon County hearing procedures do not address a "representative for opposition" or how that is determined. The current PZ bylaws allow the representative of the opposition 10 minutes to speak but do not address how that is determined, thus it is at the discretion of the hearing body. The same applies to any reference of an "expert" testimony receiving additional time.

**Are we going to follow the current rules and laws that exist at this time that have to do with submitting evidence if it's only a single piece of paper or two if received after the deadline from another agency?**

DSD Director Answer:

Yes, to follow current rules until a new ordinance is adopted. Currently, acceptance at the hearing is at the discretion of the chair of the hearing body. Procedures are listed on the DSD land use hearing page and have been for almost a year. If agency comments are received after the published deadline, and if pertinent to the criteria that must be addressed in the findings, staff may read the comment into the record when they give the verbal staff report, and/or the hearing body has the discretion to enter the written comment into the record, just as they do with public comment. In most cases, the oral reading of the comment is chosen. Regardless of the number of pages, hearing bodies do not have the time to read materials submitted at the hearing while listening to testimony, but can (as always has been the case) choose to continue the hearing to a future date and leave public comment open.

*Audio 26:20*

**Outdated Notifications 300-600-yard impact for new developments, for example, the amphitheater, and safety placement of signs with flyers particularly off Karcher Road? Can we put in place an automated process using technology to push communications and links to the landing hearing page on day 1-5 in the new 41-day process?**

DSD Director Answer:

Canyon County has a 600-foot property owner notification radius, or 1,000 feet for certain intensive uses such as a Confined Animal Feeding Operation (CAFO), or wireless communication facilities. To the best of our research, all neighboring jurisdictions' ordinances reviewed utilize a notification radius of 300-500 feet (300 is state law) unless the more intensive use. Notices are also posted on the DSD land use website, published in the paper, and posted on the property. The DSD website (GIS) has this "application tracker" feature as well- [Planning & Zoning Applications Tracker \(id.gov\)](#)

We heard some great ideas from the public of how to better communicate these, and other features, for applications in process, including improvements to our website (in progress), and are exploring options and costs for push communication methods such as subscription-based text notification systems.

*Audio 30:06*

**Concerns around agriculture preservation and impact areas have been handled. Concerns around how long it took to adopt the 2030 plan. There seem to be legislative policies being pushed around the 2030 comp plan and how are we moving it along as ratified?**

DSD Director Answer:

We are currently focused on the backlog of applications and crucial updates to existing ordinances related to confusing and/or outdated issues such as conditions for rezones, private road requirements, and the subdivision ordinance. The vast majority of development applications currently being processed must do so under the 2020 comprehensive plan, since that was the plan in place at application submittal. In 2022 and 2023, like most of our surrounding jurisdictions, struggled with staffing levels which has delayed the very important long-range, or proactive planning work, contemplated in the 2030 Comprehensive Plan. There were 13 chapters, 46 goals, 85 policies, and 101 actions in the 2030 comprehensive plan that were not prioritized or fully developed. New concepts in the 2030 comprehensive plan such as overlays, zoning densities, and additional regulations need further community and stakeholder discussion prior to drafting. There were significant land areas in the new 2030 comprehensive plan that were changed from residential to agriculture that do not match the current built environment which are challenging to implement. The Board of County Commissioners have worked diligently in the past year to deeply engage with our cities and partner agencies having jurisdiction regarding a collective vision in the areas of city impact(s) and aligning on difficult questions

like where does residential development and agriculture transition, the cities' plans for providing services such as sewer and water, groundwater concerns, and fire essential services. Canyon County had a public workshop regarding groundwater, engaging IDWR, DEQ and SWDH. Canyon County had a public workshop around the International Fire Code and fire services with our fire districts. Canyon County had a public workshop with the Treasure Valley Water Users' Association (irrigation districts). These have been important steps in diving deeper into issues superficially addressed in the 2030 Comprehensive plan.

**I wrote RS31130 around voting in area of impact areas? There was a comment from this Board sent to Senator Lakey saying this was unconstitutional?**

COO Answer:

This question is a little perplexing, I have interviewed each Commissioner and no one recalls that communication. There is a current Public Record Request searching email for this type of correspondence between each Commissioner and Senator Todd Lakey. I apologize for any confusion, but we are looking.

*Audio 34:36*

**Why are applications taking so long to get through; I have been waiting for nearly a year? CUP are a priority over small applications like a rezone. What is the process?**

DSD Director Answer:

We completely understand, and share concerns about timelines for processing applications and we are not satisfied with the current timelines. We are making substantial progress. As of November 2022, DSD had over 160 public hearing cases alone in the queue and over 60 Administrative Decision cases. That backlog has been significantly reduced over the last fifteen months, but new submissions have remained robust. We have focused heavily on recruitment, retaining, and training of staff, streamlining processes internally, requirements for applications to ensure completeness, and adjusting hearing processes to improve timeliness. This Board of County Commissioners has increased staffing in the Planning Division and adjusted compensation to be competitive for the high-demand, low-supply positions such as planners and engineers. There are also limited numbers of public hearing dates and meetings to consider the applications.

Cases are being assigned generally in the order they were received, with considerations for completeness and complexity, case type, as well as if they need external agency review. Certain types of applications do not require the same experience level or depth of review or hearings. Many cases from prior years were not complete, or need substantial work to be processed. Conditional use permits for example only require one hearing, not two, are much less complex to review and process, and with simpler requirements in county ordinance, can be processed by associate planners. If cases have multiple applications tied to them, for example, a comprehensive plan amendment and a rezone, those have two sets of criteria to address and can be more complicated for review by required third party agencies such as highway districts, health districts, fire districts, and/or irrigation districts.

*Audio 36:38*

**Disturbed about a comment by Commissioner Van Beek "if it's not read into the record, it shouldn't be in the record." Not everyone can speak publicly, or understand the process, and we are just lay persons. The public should have a larger voice than the developers.**

Commissioner Van Beek Answer:

I apologize, I do believe my comment was taken out of context. Regarding public input related to a hearing, Canyon County's timelines for submission are longer than what is outlined in State Statute and most jurisdictions. The Board and our P&Z Commissioners seek to make the most informed and fact-based decisions possible through a complete application process. The purpose of a submission deadline is to allow all parties adequate time to review and respond to information contained in the staff report.

The request to submit *written substantive information* to the Board at a hearing for spur-of-the-moment review and evaluation circumvents the Planning & Zoning process. Sometimes deadlines are missed. If this happens, **anyone can read information into the record**. Please note, that there is a difference between not accepting **any** information and not accepting **any written** information. Information that can be read into the record in three minutes will be accepted. If there is a large volume of information that could potentially overturn a recommendation, it should be submitted within the proposed timelines.

**Concerned around public safety, our deputies are understaffed and are in more danger now than 10 years ago. Put deputies in the Jail first, then in patrol second in the Sheriff's Office. We are at risk and danger!**

COO Answer:

Repeated Answer from above and we share your concerns: (additionally)

In the FY2024 budget book this was one of many priorities the Commissioners wanted to address for public safety. Sheriff Kieren Donahue and Chief Deputy Doug Hart proposed a 3-year plan to expand patrol services. This plan presented 4 new Deputies and 1 new Marine Patrol Deputy in Fiscal Year 2024 which was approved, 4 Patrol Deputies in FY2025, and 4 Patrol Deputies in FY2026. These 4 new approved Deputies have been filled and in place. Keep in mind with every new Patrol Deputy comes with other expenses which include: uniforms and protection devices, radios, rifle, EMS supplies, side-arm, police vehicle, go-bags, tactical equipment, training, certifications, etc.

Actually, having deputies start in the jail and then patrol is by design. There are two versions of the POST academy, a detention certification and then a more extensive program for patrol. When a new deputy that has no experience or certification, they typically start in the jail and then promote to the street. If there's a candidate that is already experienced they will go through the process to determine where they rank or placement. We want the best on the street and in the jail and this is the process that's been working.

*Audio 40:00*

**Concerns around land hearing ordinance procedure amendments. When onsite notifications are being put out, can they go out further than 600 feet (600 or more feet) and avoid busy roadways or intersections and include HOA organizations?**

DSD Director Answer:

Shortly thereafter the hearing date is established, the signs are placed on the property, well in advance of the 15 days required by Idaho State law. General locations of the signs are prescriptive by Idaho state law. There is not a comprehensive list of HOA's, and mailed notifications are currently limited to the 600- or 1,000-foot radius in County ordinance, depending on application type. This radius is double most of the neighboring jurisdictions, including Ada County. If a sign is noticed on a property, all details can be

found on the DSD land use hearing webpage, and a resident need not stop and get a flyer. We are actively exploring some of the great ideas heard from the public regarding opt-in push notifications via text messaging applications.

*Audio 43:25*

**Concern around duplication of emails being scrutinized by the Board. Strategy around Open Meeting Law and utilizing the full 5 days instead of just 3? Are you thinking about that?**

COO Answer:

Answered the use of the full 5 days previously and this new schedule is working. We are constantly thinking of Open Meeting Laws and I have referenced that earlier in the Q&A as well. I appreciate the concern around these items.

*Audio 45:54*

**Where is the tax relief, we saw a 30% increase on our tax bill?**

COO Answer:

Please reference audio marking and answers for Audio 18:39 – 22:56

I've answered the why, but what I will add additionally is FY2023 was an anomaly of using fund balance to fund the 14 million difference which is why we had to make that up by pulling the full levy property tax for FY2024. We also used 2.2 million of foregone for major capital projects outlined in the L-2 form because by being frugal in previous years, we have to maintain property, jail laundry equipment, and other efforts pulled out of previous budgets. These items eventually need to be addressed and when the "kicking the can down the road" methods are used for budget fundamentals, this is not how we will be working going forward. The County has to keep up with operational costs, growth, inflation, community needs, and overall adaption for public safety, elections, and other mandated services across the elected offices. This is where this is a confusing perspective and question to pull out one year from the last 5 years to tell the story. Again, the tax draw historically over the past 5 years by the County, other taxing districts took significantly more than we did:

FY2020 – 54,119,386

FY2021 – 53,970,567

FY2022 – 53,684,567

FY2023 – 40,000,000 (used 14 million from fund balance)

FY2024 – 56,351,934 (had to pull the full amount to catch up on unanticipated expenses and growth)

The remaining portion of the 127 million budget comes from license fees, user fees, fines, sales tax revenues, grant funding, and other revenue streams. This is why this Board has challenged leadership in all the offices and departments to evaluate user fee structures that cover County cost and some of these fees haven't been changed or evaluated in 5 – 25+ years. Fees should be set at current costs to offset the annual property tax pull.

Even keeping the budget flat, we were able to add 17 new Critical positions throughout the County when we had 27 new positions requested throughout the County which included one new Marine Patrol Deputy, four Patrol Deputies, additional elections staff, etc.

**Why is the Board using outside legal counsel when it pleases them, when Idaho Statute 31-2607 requires them to use the Prosecuting Attorney's (PA) Office for legal counsel to save the taxpayers money?**

COO Answer: (This is an untrue general statement)

This is an interesting question which appears to be privileged information gathered from a known County resource. I will reference that statute you mentioned below as well as one more endorsing your point and the Board follows statute to the letter. Out of transparency, the Board of County Commissioners use the PA's office on a daily basis for general counsel on a multitude of topics that could include ordinance and statute interpretations, contracts, RFP, RFQ, MOU, MOA, employment, insurance, risk management, land use, land acquisitions, real estate, public record requests, statements, inquiries, opinions, etc.

There is a standing 9:30 am slot every Tuesday and Thursday on the agenda of every week to stay in tune with the PA's Civil Counsel. The current board has conflicted out 4 privileged and protected matters since January 2023 because of specific case-by-case situations. The PA counsels all 9 Elected Officials in the County and when there is a conflict that involves multiple Elected Officials or when a situation comes up where the PA's office recuses themselves because of the topic or the Board determines a recusal. But we use the PA's office for nearly 100% of all County business.

31-2607. ADVISER OF COUNTY COMMISSIONERS. **The prosecuting attorney is the legal adviser of the board of commissioners; he must attend their meetings when required,** and must attend and oppose all claims and accounts against the county when he deems them unjust or illegal.

PROSECUTING ATTORNEY

31-2604. DUTIES OF PROSECUTING ATTORNEY. It is the duty of the prosecuting attorney:

1. To prosecute or defend all actions, applications or motions, civil or criminal, in the district court of his county in which the people, or the state, or the county, are interested, or are a party; and when the place of trial is changed in any such action or proceeding to another county, he must prosecute or defend the same in such other county.

2. To prosecute all felony criminal actions, irrespective of whom the arresting officer is; to prosecute all misdemeanor or infraction actions for violation of all state laws or county ordinances when the arresting or charging officer is a state or county employee; to conduct preliminary criminal examinations which may be had before magistrates; to prosecute or defend all civil actions in which the county or state is interested; and when a written contract to do so exists between the prosecuting attorney and a city, to prosecute violations for state misdemeanors and infractions and violations of county or city ordinances committed within the municipal limits of that city when the arresting or charging officer is a city employee.

3. **To give advice to the board of county commissioners, and other public officers of his county, when requested in all public matters arising in the conduct of the public business entrusted to the care of such officers.**

4. To attend, when requested by any grand jury for the purpose of examining witnesses before them; to draw bills of indictments, informations and accusations; to issue subpoenas and other process requiring the attendance of witnesses.

5. On the first Monday of each month to settle with the auditor, and pay over all money collected or received by him during the preceding month, belonging to the county or state, to the county treasurer, taking his receipt therefor, and to file, on the first Monday of October in each year, in the office of the auditor of his county, an account verified by his affidavit, of all money received by him during the preceding

year, by virtue of his office, for fines, forfeitures, penalties or costs, specifying the name of each person from whom he receives the same, the amount received from each, and the cause for which the same was paid.

6. To perform all other duties required of him by any law.

*Audio 48:26*

**Shared appreciation for a work that's happening by the Commissioners. "Get cracking on impact fees" 5 Years in progress and what is the status?**

*Audio 50:16*

**Concerns around impact fees that the city residents are paying more than out-of-city County residents. Need an ordinance to update fees?**

COO Combined Answer:

The County is in the middle of re-establishing the County Impact Fee Advisory Committee to the Board of County Commissioners. When Rick Hogaboam was hired at Canyon County as the new Constituent Services Director he was treating this effort as a priority to get this committee re-established. He was also going to be the point of contact with the escalated need to address impact fees for cities, fire districts, county, etc. This effort stalled when Mr. Hogaboam was appointed the new Clerk when the previous Clerk resigned. We are currently marketing a backfill for a new Constituent Services Director and this will be put on as a priority. The County sincerely apologizes and we are doing what we can with the limited resources we have for this. We will get this back on track.

*Audio 53:29*

**Pushed for a new jail, public transit, and agricultural preservation. Need to push these efforts forward and appreciate the work of the Commissioners?**

**Can I get an update on public transit?**

COO Answer

Myself and the DSD Director are engaged with Valley Regional Transit (VRT) every month to hear their plans on expanding public transit. I have asked for County metrics from VRT recently for on-demand service trips outside of city limits and the cities are heavily engaged in public bus transit and a study on a rail system. The County statutorily has two seats on the VRT executive board as well as Ada County and contributions are made as budget allows by both counties. [www.valleyregionaltransit.org](http://www.valleyregionaltransit.org)

\*\*Canyon County contributed 50,000 in FY2024 for a 5-to-1 federal grant match equaling 250,000.

**What is the status of a new jail?**

COO Answer

Canyon County owns 28 acres of land off Pond Lane, Notus exit off of I-84 for a new jail structure. Every avenue the County has tried to fund a jail has failed. The County has tried to pass a bond 5 times without success, this Board has approached the statehouse with a local option sales tax and that was shot down. Every avenue has been a stopping point and we are trying to figure out the best possible way to approach this. Every year the problem gets worse, crime rate increases, no support from the statehouse as they refer to us as "locals" and they continually try to strip funding sources for counties to operate. Sheriff Kieren Donahue and this Board is engaged in discussions and the partnership is strong. Know this, we need a new jail so any help would be appreciated.

Example of a presented scenario on Local Option Sales Tax (LOTS).

The concept of a local options sales tax is adding a certain percentage on top of the existing 6% sales tax for a determined amount of time and then it goes away, known as sunseting, but it has to be for a specific reason and it's a two-step process. Our legislators in the Idaho statehouse would have to amend statute to allow us to use this to build a jail and secondly, it would have to go on the ballot for the voters to allow a local options sales tax in Canyon County. This would capture any sales tax revenue in the County including those that are traveling here, passing through, and buying items.

If a 1% local option sales tax was passed meaning Canyon County would be at 7%, but .05% would go to property tax relief and .05% would go to build a new 400-million-dollar Jail facility, it could be paid off in 7 years and then the additional 1% goes away. The Sheriff and Commissioners wanted the voters to determine if they want this, but it has to pass the statehouse. This .05% would result in great taxpayer property tax relief as well, we thought it was a win-win. If you want more info, the Sheriff and a Single Commissioner would be willing to discuss.

*Audio 55:08*

**Need an Animal Shelter for companion animals or other type of rescues like cats?**

COO Answer

As an animal lover myself, I appreciate the two testimonies on rescue shelters and the need to expand services. Canyon County contributed to WVHS \$100,000 in FY2024 for operational expenses including a new roof. The County also owns the building and leases it to the WVHS annually for one dollar. We do what we can to support the WVHS, but funding truly comes through donations, fundraisers or other avenues to keep it running. Bringing up rescue shelters through these avenues of funding is tough. With a new Constituent Services Director coming on board, we will be looking at local and federal grants that might help with this.

*Audio 56:36*

**Concerned around streamlining land use procedures and amending the ordinance. Concerned around mailing notices and the planning office is closed 2-3 days a week and need to make an appointment. Why are there concerns about Flash Drive information, why, have you ever had an issue?**

DSD Director Answer:

The Development Services Department office has public hours Mondays, Tuesdays, Thursdays and Fridays from 8 am–5 pm. In early 2023, hours changed to be open from 12-1 pm so people could access services during their lunch hour, and adjusted those historically closed hours to be only closed on Wednesdays from 8 am–1 pm to allow for trainings, department and division meetings, and focused processing of complicated applications without interruptions. Planners are available to the public for walk in assistance Tuesdays and Thursdays from 8 am–5 pm or by appointment. Planners are often at site visits, application meetings, or on the phone and are not able to be available at all times to discuss a case or answer questions. Making an appointment for issues other than basic inquiries ensures accurate information can be provided and they are prepared with any case specific information requested. This is the process for meetings with applicants as well, they are not handled at the counter. During all other open office hours, the public is assisted by Permit Technicians who can provide most answers and references of where to find information. An information request form is also provided at the counter so that we can ensure we understand what is needed and can do the adequate research prior to our follow-up. Departments are also available to answer questions via leaving a voice mail at 208-454-7458 or via email [ZoningInfo@canyoncounty.id.gov](mailto:ZoningInfo@canyoncounty.id.gov) or [buildinginfo@canyoncounty.id.gov](mailto:buildinginfo@canyoncounty.id.gov), which answers are provided generally within 3 business days after receipt.

**Senior citizens don't use the internet, what other methods are out there? "Feels like this discrimination, really"**

COO Answer

As you can see by some of the answers, there is a mix of how to get notices and communication to the public either being by newspaper that's required by Idaho Statute or technology. Those are our two avenues to get information spread, finding a balance is a struggle.

*Audio 1:01:47*

**General comments around 86% loves the rural feel and protect the 2030 Comp Plan. Noticing should be expanded to communities since it impacts sewer, schools, roads, etc.?**

*Audio 1:06:01*

**Notices of 600 feet is a problem and should be expanded. Newspaper subscriptions have declined and we need to move to new communication methods in 2024. P&Z applicant had support from staff and none of that was applicable in the opposition and can't get visual support, seems unfair.**

DSD Director Answer:

Publication in the newspaper of record for land use hearings is a state law requirement. Canyon County's radius for property owner notification is double of state law requirements. DSD staff do not show preferential treatment to either side in a land use case, and often only have an increased rapport with applicants as they have likely had numerous interactions over a period of months as they have requested additional required information to complete their staff reports. DSD staff support applicants and the public at the same level including audio visual support of PowerPoints, however if they are not submitted in advance, there can be challenges with loading the information as well as clicking through or changing of slides. This is why PowerPoints are not encouraged, as switching files as part of a three-minute testimony can be a challenge. We would encourage anyone who wants to provide evidence to print and submit the PowerPoint slides in advance of the written comment deadline, so the hearing bodies have ample time to review them and consider them as part of their deliberation. DSD staff is working on a public "primer" on land use, including tips to testify, how and why to address the decision criteria, and reminders of deadlines and timeframes during public hearings.

*Audio 1:08:55*

**General comments around cause and effect of the Chapter 1, Article 17 Ordinance Amendment.**

*Audio 1:09:50*

**What is the future of Animal Shelters, West Valley Human Society isn't working, animals are being stolen and rehomed with limited hours of operation? Cats and other animals need a place to go.**

COO Answer (repeated)

As an animal lover myself, I appreciate the two testimonies on rescue shelters and the need to expand services. Canyon County contributed to WVHS \$100,000 in FY2024 for operational expenses including a new roof. The County also owns the building and leases it to the WVHS annually for one dollar. We do what we can to support the WVHS, but funding truly comes through donations, fundraisers or other avenues to keep it running. Bringing up rescue shelters through these avenues of funding is tough. With a new Constituent Services Director coming on board, we will be looking at local and federal grants that might help with this.