

MAY 2024 TERM
CALDWELL, IDAHO MAY 1, 2024

APPROVED MAY 3, 2024 PAYROLL

- The Board approved the May 3, 2024 payroll in the amount of \$2,443,366.19

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Christopher Wilcox, Deputy Prosecuting Attorney I - Limited License
- Addisen Pennington, Temporary Legal Support for Prosecutor's Office
- Brenda Pennington, Sr. Administrative Specialist for Human Resources
- G. Austin Hayes, Jr., Limited Licensed Intern for Prosecutor's Office (Temporary)
- Kaitlyn Belt, Limited Licensed Intern for Prosecutor's Office (Temporary)
- Brogan Howard, Limited Licensed Intern for Prosecutor's Office (Temporary)

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- The Chicago Connection, LLC dba Chicago Connection
- Evra, Inc., dba Casa Mexico
- Nampa Aerie #2103, Fraternal Order of Eagles dba 2103 Aerie
- Maria Sarmiento dba Alondra's Store
- Prefunk Beer Bar II, LLC dba Prefunk Beer Bar II

(Resolution No. 24-079)

DETAILED MINUTES TO FOLLOW:

Meeting with Assessor's Office to consider various new and renewing property tax exemptions under codes: 63-602P, 602W, 602D, 602P, 602B, 602C, 602E, 602GG, and 50-2014

ACTION ITEM: CONSIDER SIGNING ORDINANCE, ORDINANCE SUMMARY, AND RESOLUTION REGARDING THE NAMPA AREA OF CITY IMPACT MAP EXPANSION, CASE NO. OR2023-0002, APPROVED BY THE BOCC ON DECEMBER 19, 2023

The Board met today at 10:30 a.m. to consider signing an ordinance, ordinance summary, and a resolution regarding the Nampa Area of City Impact Map Expansion, Case No. OR2023-0002,

approved by the BOCC on December 19, 2023. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Dan Lister, DSD Planning Supervisor Carl Anderson, COO Greg Rast, Deputy PA Zach Wesley, DSD Assistant Director Jay Gibbons, and Deputy Clerk Monica Reeves. Dan Lister provided a background and history of the impact area expansion. On December 19, 2023, the Board signed the FCO's approving the map expansion. The documents being considered today are the last step in the process. Commissioner Van Beek made comments regarding the impact area process, and Commissioner Holton spoke of the City of Nampa's and Canyon County's efforts to have planned and coordinated growth. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the ordinance, ordinance summary, and the resolution regarding the Nampa Area of City Impact Map Expansion, Case No. OR2023-0002, approved by the Board on December 19, 2023. (See Resolution No. 24-078, and Ordinance No. 24-005.) The meeting concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

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; PRELIMINARY PLAT FOR LEWIS HEIGHTS SUBDIVISION

The Board met today at 1:36 p.m. to conduct a public hearing for Case No. RZ2021-0030 and SD2021-0018, in the matter of a request by Darren Goldberg, LGD Ventures, LLC, for a conditional rezone of parcel R30117 from an "A" (Agricultural) Zone to a "CR-R-R" (Conditional Rezone - Rural Residential) zone. Included with the conditional rezone is a development agreement. The request also includes a preliminary plat (with irrigation and drainage plan) for Lewis Heights Subdivision. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planner Michelle Barron, DSD Planning Supervisor Carl Anderson, Deputy PA Zach Wesley, Claudia Haynes, Kim Yanecko, Amy Weidner, other interested citizens, and Deputy Clerk Monica Reeves. Today's hearing was continued from March 14, 2024, when the Board directed DSD staff and Legal to draft updated Findings of Fact, Conclusions of Law, and Order (FCO's) with the development agreement. DSD Planner Michelle Barron gave a summary of the case history. Deputy PA Zach Wesley said staff updated the FCO's based on the discussion from the last hearing, and they want to make sure the proposed development agreement conditions and the FCO's fit with the Board's discussion.

The Board reviewed the findings of fact and conclusions of law and deliberated on the eight points of criteria. There were follow-up questions for staff.

Planner Barron was given a late exhibit from Kim Yanecko which included communication with the Idaho Department of Water Resources in 2020. The Board discussed whether to accept the exhibit. Deputy PA Wesley said testimony was closed at the previous hearing and there was no expectation there would be additional exhibits accepted. The intent of the continuation was for deliberation on the FCO's and the development agreement and so there is basis to deny admission of the exhibit as being untimely, not in time for the Board to review it and still have its deliberation today and so we could accept it and mark it for the file and note on the record that it was accepted untimely and not considered. The Board declined to accept the exhibit.

Following deliberation, the Board agreed with the findings of fact and conclusions of law prepared by staff approving the conditional rezone subject to the conditions of the development agreement. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve Case No. RZ2021-0030, a conditional rezone from an “A” (Agricultural) zone to “CR-R-R” (Conditional Rezone Rural Residential) for Parcel R30117 subject to the conditions of the development agreement as discussed.

Deputy PA Wesley said they will obtain the developer’s signature on the development agreement and bring the FCO’s back later that incorporate today’s deliberation into the written comments.

The Board reviewed the FCO’s for the Lewis Heights Subdivision preliminary plat. Commissioner Brooks does not like the language in Condition No. 8 which states “The plat shall comply with the International Fire Code as administered through Upper Deer Flat Fire District.” He does not want the County inserting itself in a fire district matter. Planner Barron said it’s the language that has been discussed before and it brings it back to the International Fire Code, which is a requirement, it’s just administered through the local fire district. Commissioner Van Beek said there is some concern and she does not want staff to feel uncomfortable issuing a certificate of occupancy that fails to meet a state standard. It needs to stay. Commissioner Brooks said he will go along with it now, if the requirement is out there that they must comply with this then that needs to be on the fire district not the County. He does not want the County to be the enforcement arm for the fire district. Commissioner Holton sees the language as a protectant for those who will build in the development.

The Board agrees with the FCO’s for the Lewis Heights Subdivision, including the standards of review and conditions of approval no. 1-9. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the preliminary plat with the irrigation and drainage plan for Lewis Heights Subdivision, Case No. SD2021-0018. The Board will finalize the approval documents in the coming weeks. The hearing is closed until the Board meets again to review the FCO’s. The hearing concluded at 2:32 p.m. An audio recording is on file in the Commissioners’ Office.

MAY 2024 TERM
CALDWELL, IDAHO MAY 2, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Estefany Alvarez, Sr. Administrative Specialist (moving from 295 division to 294 division)
- Nataly Cogic, Deputy Sheriff – Inmate Control 51003

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- J.C. Wallace Construction LLC in the amount of \$41,028.20 for the Facilities department

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Proletariat to be used on 6/8/24
- Loose Screw Beer Co. to be used on 5/4/24

APPROVED ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Salinas Foods LLC dba Yita's Family Restaurant King Legend Hall
- Fiesta of Nampa Inc. dba Fiesta Guadalajara
- Fiesta's Arts Inc. dba Fiesta Guadalajara
- The Bank Bar, LLC dba The Bank Bar

Resolution nos. 24-081 and 24-082

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel (left at 9:42 a.m.), Deputy P.A. Laura Keys, Lt. Russell Donnelly (left at 9:35 a.m.), Facilities Director Rick Britton (left at 9:34 a.m.), Assistant DSD Director Jay Gibbon (arrived at 9:50 a.m.), DSD Director Sabrina Minshall (arrived at 10:01 a.m.), COO Greg Rast (arrived at 9:44 a.m.), Clerk Rick Hogaboam (arrived at 10:29 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Addendum to IFB for Fire Prevention Project: The pre-bid conference was held last week but no questions have been received. Director Britton added maps indicating areas that have already been completed vs. areas that still need to be completed. Approximately \$250K has been budgeted for this project which will be done in phases over the span of several years and budgets. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the addendum to the IFB for the Fire Prevention project.

Consider a Resolution Authorizing the Retirement of CCSO K9 Millie: Lt. Donnelly said Millie is a 9-year-old golden lab who has served in the jail for several years. Millie will be retired to the care of her current handler. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing the retirement of CCSO K9 Millie (resolution no. 24-080).

The Board recessed from 9:36 a.m. to 9:42 a.m.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:43 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 and Deputy P.A. Laura Keys. The Executive Session concluded at 10:30 a.m. with no decision being called for in open session.

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

MEETING WITH FACILITIES DIRECTOR AND BENITON CONSTRUCTION REGARDING FINAL GUARANTEED MAXIMUM PRICE FOR THE NEW ELECTIONS BLDG.

The Board met today at 10:37 a.m. with the Facilities Director and Beniton Construction regarding the final guaranteed maximum price for the new elections building. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Treasurer Tracie Lloyd, Clerk Rick Hogaboam, Assessor Brian Stender, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Sr. System Analyst Steve Onofrei, COO Greg Rast, Facilities Director Rick Britton and Deputy Clerk Jenen Ross.

There has been some miscommunication regarding this meeting and the need for an associated action item. Director Britton indicated that Beniton Construction will be here today at 4:15 p.m. for a presentation and for the action item of considering the final guaranteed maximum price for the Elections building. The Board continued this meeting to 4:15 p.m. today.

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

MEETING FOR PRESENTATION BY HUMMEL AND OKLAND REGARDING CCSO ADMIN BLDG.

The Board met today at 11:00 a.m. for a presentation by Hummell and Okland regarding the CCSO administration building. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach

Brooks, Sheriff Kieran Donahue (arrived at 11:02 a.m.), Chief Deputy Sheriff Doug Hart, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Clerk Rick Hogaboam, Assessor Brian Stender, Lt. Martin Flores, Lt. Doug Gateley, CCSO PIO Joe Decker, Facilities Director Rick Britton, Sr. Systems Analyst Steve Onofrei, COO Greg Rast, Scott w/Okland, Jeff Parks w/Hummel, Brian Coleman w/Hummel and Bill Valdez w/KMB Representative from Hummel and Okland and Deputy Clerk Jenen Ross.

Chief Hart explained they wanted to take this opportunity to introduce the Board to the builder and architects for the new CCSO administration building and give a presentation on the design highlighting how it will benefit the county and showing how it will account for the next 20-30 of growth. The previous design had gone over budget but they'd like to show the Board the revised design.

A PowerPoint presentation was given by Hummel Architects, KMB Architects and Okland.

- A history of the project was reviewed
 - Initial conversations with the Sheriff's Office took place in October.
 - At the end of January, the first pricing was submitted. However, the initial design and cost came in over budget and revisions would be needed.
- The original design (schematic design 1.0) was 120,000 sq. ft. and 4 stories at a cost of \$36,161,073. The revised design is approximately 83,500 sq. ft. and 3 stories. Even with the revised design, by evaluation the priorities and needs, they were still able to maintain the 20-year future growth by maximizing multiuse spaces and high utilization per square feet.
- Slides were reviewed showing a depiction of design elements and how the building will sit on the site.
- A review of the blueprint of the building indicating use of each space, highlighting areas of special interest that CCSO feel will be more beneficial and constructive vs. what is currently being used.
- Review of the design schedule
 - Project began in October 2023 and anticipated completion is February 2026
- Pricing for the revised building plan (schematic no. 2)
 - \$28,452,276 for an 83,439 sq. ft. building with approximately \$27,000,000 coming from ARPA funds

Further discussion ensued regarding locking in the guaranteed maximum price, marketing strategy and the benefits of being able to open up additional space for other county use by the Sheriff's Office vacating the courthouse space.

A copy of the PowerPoint presentation is on file with this day's minutes.

The meeting concluded at 12:01 p.m. and an audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO FOLLOW:

PUBLIC HEARING: SHORT PLAT FOR KIMBER RIDGE SUBDIVISION #3, CASE NO. SD2022-0057

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Jerry Uptmor for approval of a short plat for Kimber Ridge Subdivision #3, a two-lot subdivision, Case No. SD2022-0057. Present were: Commissioners Brad Holton and Zach Brooks, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Dan Lister, Jerry Uptmor, Bobby Harris, Diana Hoffman, Cheryl Keithley, and Deputy Clerk Monica Reeves.

MEETING TO CONSIDER ACTION ITEM OF APPOINTING MEMBERS TO THE CANYON COUNTY IMPACT FEE ADVISORY COMMITTEE

The Board met today at 4:01 p.m. to consider an action items of appointing members to the Canyon County Impact Fee Advisory Committee. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Larry Olmsted and Glen Rimbey and Deputy Clerk Jenen Ross.

Mr. Wesley briefly reviewed the requirements for the committee as follows - it must be comprised of at least 5 members which reside within the district (in this case, the entire county), a minimum of 2 must be active in the business of development, building or real estate, and none of the members can be government employees. Seven members will be appointed today, each with two-year terms concluding on May 2, 2026. Once the committee is established, the bylaws could be drafted for review and adoption. The members being appointed are Alan Mills, Desiree Egusquiza-Hess, Larry Olmsted, Glen Rimbey, Michael Wilson, Tara Wensel and Steward Hyndman. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution appointing members to the Canyon County Impact Fee Advisory Committee (resolution no. 24-083).

The meeting concluded at 4:12 p.m. and an audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO FOLLOW:

MEETING WITH FACILITIES DIRECTOR AND BENITON CONSTRUCTION REGARDING FINAL GUARANTEED MAXIMUM PRICE FOR THE NEW ELECTIONS BUILDING

The Board met today at 4:18 p.m. for a meeting with the Facilities Director and Beniton Construction regarding the final guaranteed maximum price for the new Elections building. Present were:

Today's meeting included an action item to consider the final Guaranteed Maximum Price Contract for the Elections Building Project with Beniton Construction

MAY 2024 TERM
CALDWELL, IDAHO MAY 3, 2024

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for:

- Michael Turner, Deputy Sheriff (Waterways)

MAY 2024 TERM
CALDWELL, IDAHO MAY 6, 2024

APPROVED ALCOHOLIC BEVERAGE LICENSES

The Board approved the following alcoholic beverage licenses for renewal:

- Caldwell Treasure Valley Rodeo, Inc., dba Caldwell Night Rodeo
- IOU Sushi II, LLC dba IOU Sushi II
- JP Thailand Express, LLC db JP Thailand Express
- Bon Appetit Management Co. dba McCain Pub
- Bi-Mart Corp dba Bi-Mart #614

Resolution no. 24-085

APPROVED ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Kolbeh LLC dba Kolbeh Bar & Grill
- Brick 29 LLC dba Brick 29
- Indian Creek Steakhouse LLC dba Indian Creek Steakhouse
- Cook's Two Hole Inc. dba Cook's Two Hole Bar
- 2C Wine Down LLC dba 2C Wine Down
- Carniceria Mi Tierra Inc. dba Carniceria Mi Tierra

Resolution no. 24-086

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$7221.76 for the Information Technology department (PO #6001)
- Dell in the amount of \$6975.04 for the Information Technology department (PO #6002)
- Dell in the amount of \$11,202.46 for the Information Technology department (PO #6003)
- Manage Engine – ZoHo in the amount of \$8010.00 for the Information Technology department (PO #6004)

PUBLIC HEARING: REQUEST BY SHAWN AND RAE LYNN KELLEY FOR A CONDITIONAL REZONE FROM AN “A” (AGRICULTURAL) ZONE TO A “CR-R-1” (CONDITIONAL REZONE – SINGLE FAMILY RESIDENTIAL), CASE NO. CR2022-0033

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Shawn and Rae Lynn Kelley for a conditional rezone from an “A” (Agricultural) zone to a “CR-R-1” (Conditional Rezone – Single Family Residential), Case No. CR2022-0033. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planner Dan Lister, DSD Planning Supervisor Carl Anderson, Rae Lynn Kelley, Shawn Kelley, and Deputy Clerk Monica Reeves. DSD Principal Planner Dan Lister gave the oral staff report. The applicants are requesting a conditional rezone of parcel R38194010A from an “A” (Agricultural) zone to a “CR-R-1” (Conditional Rezone – Single Family Residential). The request includes a development agreement limiting development to three buildable lots. The 4.12-acre parcel is located at 24720 Harvey Road in Caldwell. Mr. Lister gave a report on the history of the property. It used to be one original parcel and in 2022 the north half was divided and rezoned to an R-1 zone and through the administrative land division process it split the property into three lots. The applicants are asking for the same thing today and they want it rezoned to create three lots. Because all of the administrative land division splits have been taken they would have to go through the platting process. Planner Lister summarized the eight (8) hearing criteria that must be evaluated. The area is designated for residential and the application was filed under the 2020 comprehensive plan. The area is also designated as residential under the 2030 comprehensive plan. The property is located within the City of Middleton impact area where they also designate it as residential. He summarized the land divisions and developments that have occurred in the area. There 36 subdivisions within a one-mile radius with an average lot size of 1.62 acres. The area consists of a mix of agricultural and residential zonings. The parcel has Class 3 moderately suited soils. There are three feedlots in the area, and the closest one is north of Purple Sage Road. The parcel is located in a nitrate priority area and a nutrient pathogen study will be required at the time of platting. The property is served by an irrigation well which is located north of the lateral on the other property that was split off. The Black Canyon Irrigation District has identified some concerns with as they have irrigation rights through the Drake Subdivision HOA and so BCID is requesting the applicant to work with them to work through that issue at the time of platting. If the groundwater well is going to be used the applicants will need a crossing agreement from BCID.

Staff has added a condition to the development agreement to make sure they identify what water delivery use they will have for those lots. The property has legal access and it will be served a private road. The request allows three lots; there will be two houses in addition to the existing house. A traffic impact study is not required. Two additional lots are not anticipated to create an impact to essential services. The City of Middleton has requested a utility easement and pre-annexation agreement. On February 1, 2024, the Planning and Zoning Commission recommended approval of the request subject to the development agreement conditions. The P&Z Commission did not see a nexus for a pre-annexation agreement at this time.

The following people testified in support of the request:

Shawn Kelley testified that they have an agreement with Drake Subdivision and they have a letter for the pressurized irrigation. A new plat layout has been submitted to staff with everything that was requested from the first of items that needed to be completed. Planner Lister said the letter is for the preliminary plat portion of the application, not today's application.

Rae Lynn Kelley did not testify, however, she indicated she agrees with the testimony offered by Shawn Kelley.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. The Board reviewed the P&Z Commission's hearing of the case and reviewed their findings of the conditional rezone criteria. This is a straightforward case and both the 2020 and the 2030 comprehensive plans are in agreement that this is a residential area. Following the Board's deliberation, Commissioner Brooks made a motion to approve Case No. CR2022-0033, a conditional rezone of Parcel R38194010A from an "A" zone to a "CR-R-1" zone subject to the conditions of the development agreement contained herein. (Agreement No. 24-040, and Ordinance No. 24-006.) Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The hearing concluded at 1:58 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM
CALDWELL, IDAHO MAY 7, 2024

APPROVED CLAIMS

- The Board has approved claims 605352 to 605394 in the amount of \$461,266.07
- The Board has approved claims 605395 to 605435 in the amount of \$76,462.85
- The Board has approved claims 605504 to 605550 in the amount of \$224,181.60
- The Board has approved claims 605551 to 605597 in the amount of \$61,617.66
- The Board has approved claim 605598 in the amount of \$147.50

- The Board has approved claims 605599 to 605600 in the amount of \$27,671.74

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems, Inc. in the amount of \$29,718.00 for the Information Technology Department (PO #6006)
- Right! Systems, Inc. in the amount of \$11,815.00 for the Information Technology Department (PO #6005)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Mike Ketterling, Programmer Analyst II (IT new hire)
- Matthew Tarpley, Programmer Analyst I (IT new hire)

FILE IN MINUTES

The Board filed in minutes the following documents:

- Treasurer's monthly report for March 2024
- Treasurer's quarterly report for January – March 2024
- Sheriff's uncollectible delinquent personal property taxes for 2023

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

Note for the record: As properly noticed the Board met today at 9:31 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

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

Commissioner Brooks made a motion to go into Executive Session at 9:33 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton. Commissioner Holton took a roll call vote where he along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall and COO Greg Rast. The Executive Session concluded at 10:04 a.m. with no decision being called for in open session.

MEETING TO CONSIDER SIGNING LEGAL NOTICE OF ENTERING INTO PERSONAL SERVICES CONTRACT WITH ABIGAIL MOREHOUSE OF MOREHOUSE LAW

The Board met today at 10:39 a.m. to consider signing a legal notice of entering into personal services contract with Abigail Morehouse of Morehouse Law. Present were: Commissioners Brad Holton and Zach Brooks, COO Greg Rast and Deputy Clerk Jenen Ross. The agreement with Abigail Morehouse was signed on April 30th and with the potential of a personal services contract exceeding \$10,000 in a year a legal notice must be published. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the legal notice of entering into personal services contract with Abigail Morehouse of Morehouse Law.

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

MAY 2024 TERM
CALDWELL, IDAHO MAY 8, 2024

There were no meetings held this day.

MAY 2024 TERM
CALDWELL, IDAHO MAY 9, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Cortney Bravo, Customer Service Specialist - Assessor's Motor Vehicle Dept. (Part-time to fulltime)

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Bob Brooks Computer Sales in the amount of \$4,752.00 for the Elections Office (PO #6014)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Van Lith Ranch to be used 5/12/24, 6/5/24, 6/12/24, and 6/19/24

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- Maverik, Inc., dba Maverik #298, #430, #551, #595, #661, #178, #522, #287,
- Swirl Wine Shop and Lounge, LLC dba Swirl Wine Shop and Lounge
- Linda S. Barr dba Pete’s Tavern
- McNabb’s Vape Lounge, LLC dba McNabb’s Vape Lounge
- Blazin Wings, Inc., dba Buffalo Wild Wings #592
- Dan’s Ferry Service, LLC dba Dan’s Ferry Service
- Precept Brands, LLC dba Ste. Chapelle Winery/Sawtooth Winery
- La Michoacana Mexican Restaurant, LLC dba La Michoacana
- Caldwell Hospitality Group, LLC dba Best Western Inn & Suites
- Jalapeno’s Bar & Grill, LLC dba Jalapeno’s Bar & Grill
- East Cleveland Beverage & Tackle, LLC dba East Cleveland Beverage
- Kickback Bar, Inc., dba Kickback Bar
- La Ranchera Nampa, Inc., dba La Ranchera-Nampa
- Casa Anejo, LLC dba Casa Anejo
- Jak*s Place, Inc., dba Jak*s Place Neighborhood Grill

(Resolution No. 24-087)

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- Ovations Food Services LP dba OVG Hospitality (311 3rd Street South, Nampa)
- Ovations Food Services LP dba OVG Hospitality (16200 Idaho Center Blvd., Nampa)
- Garbonzo’s Pizza, Inc., dba Garbonzo’s Pizza
- Cloudcroft, Inc., dba River Bend Golf Course

(Resolution No. 24-089)

DETAILED MINUTES TO FOLLOW:

Meeting with County Attorneys for a Legal Staff Update and Consider Action Items:

- Action Item: Opening Bids for Fire Prevention Project
- Action Item: Consider Resolution Declaring Certain Property as Not Necessary for County Use and For the Exchange of County Property

Meeting with County Assessor to discuss financial status of the DMV

Public Hearing: Lurre Ln LLC, represented by Alan Mills, is requesting a rezone from an "A" (Agricultural) zone to an "M-1" zone (Light Industrial), Case No. RZ2023-0001

MAY 2024 TERM

CALDWELL, IDAHO MAY 10, 2024

There were no meetings held this day.

APPROVED CLAIMS

- The Board has approved claims 605436 to 605455 in the amount of \$16,670.00
- The Board has approved claims 605456 to 605503 in the amount of \$108,845.21
- The Board has approved claim 605601 in the amount of \$964.07
- The Board has approved claims 605602 to 605603 in the amount of \$655.50

MAY 2024 TERM

CALDWELL, IDAHO MAY 13, 2024

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Jennifer McCall Williams, Emergency Communications, GIS Intern

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Dell in the amount of \$12,113.20 for the Information Technology Department (PO #6007)
- Right Systems, Inc., in the amount of \$5,865.00 for the Information Technology Department (PO #6008)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Legends Sports Pub & Grill to be used 6/1/24, 6/2/24, 6/8/24, 6/15/24, 6/21/24, 6/22/24, 6/27/24, 6/28/24, 6/29/24, and 7/13/24
- Tricycle, LLC to be used 6/2/24
- County Line Wine Co., to be used 5/25/24, 5/26/24, 6/1/24, 6/8/24, 6/20/24, 7/1/24, 7/6/24, 8/25/24, 9/14/24, 9/21/24, 9/27/24, 10/5/24, 10/12/24, and 10/19/24

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- Mi Tierra, Inc., dba Mi Tierra
- Flying Pie Pizzeria 2, LLC dba Flying Pie Pizzeria
- Mother Earth Brew Co., LLC dba Mother Earth Micro Brews
- Salon Columbia Event Center, LLC dba Salon Colombia Event Center
- Caldwell Housing Authority dba Farmway Store
- Macabi, Inc., dba Acapulco Mexican Restaurant

(Resolution No. 24-090)

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- Target Corporation dba Target Store T-2206
- Walgreen Co., dba Walgreens #12483, #11541, #10672, #07276, #05648,
- Eva Contreras De Cuevas dba Tacos El Centro
- Winco Foods, LLC dba Winco Foods #144 and #11
- Garden City Bar, LLC dba 1918 Lounge
- Gallegos Meat Market 2, LLC dba Gallegos Meat Market #2
- Paeteria Y Neveria I Linda Michoacana dba Paeteria Y Neveria Mi Linda Michoacana Ice Cream, LLC
- El Patron 2, LLC dba El Patron Event Center
- 4T Sports Bar, LLC dba 4T Sports Bar

(Resolution No. 24-091)

DETAILED MINUTES TO FOLLOW:

ACTION ITEM: CONSIDER RESOLUTION AND ADOPTING CHANGES TO TWO JOB DESCRIPTIONS FOR ATTORNEYS IN THE PROSECUTING ATTORNEY'S OFFICE AND SALARY ADJUSTMENTS

MAY 2024 TERM

CALDWELL, IDAHO MAY 14, 2024

APPROVED CLAIMS

- The Board has approved the April jury claim in the amount of \$3,562.65
- The Board has approved claim 605604 in the amount of \$518.01

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Dalton Kelley, DPA I – Criminal, PCN/title change and salary adjustment
- Marsha Larson, DPA II – Criminal, promotion
- Scott Vermeer, DPA II – Criminal, promotion
- Scott Patrick Miller, DPA II – Criminal, promotion
- Ancel Schoberg, DPA I – Criminal, salary adjustment
- Alexander Gourley, DPA I – Criminal, salary adjustment
- Kendall Landfair, DPA I – Criminal, PCN change only from 445 to 448
- Laura Keys, DPA III – Civil, promotion
- William Clark, DPA I – Criminal, PCN change only from 558 to 331
- Kelsey Manweiler, DPA I – Criminal, PCN change only from 546 to 446
- Angela Callanan, DPA I – Criminal, PCN change only from 447 to 974
- Peter Donovan, DPA II – Criminal, promotion
- Trenton McRae, DPA II – Criminal, promotion
- Karson Vitto, DPA II – Criminal, promotion
- Delia Hanes, DPA II – Criminal, promotion
- Kyra Venecia - DPA II – Criminal, promotion
- James Haws, DPA II – Criminal, promotion
- Ruth Coose, DPA III – Criminal, promotion
- Matthew Dyal, DPA III – Criminal, promotion
- Janice Beller, DPA III – Criminal, promotion
- Stephanie Morse, DPA III – Criminal, promotion
- Andrew Haws, DPA III – Criminal, promotion
- Robert Baird-Levine, DPA III – Criminal, promotion
- Enrique Gutierrez, DPA III – Criminal, promotion
- Theodore Lagerwall, DPA IV – Criminal, promotion
- Shari Dodge, DPA IV – Criminal, promotion
- Virginia Bond, DPA I – Criminal, promotion
- Gregory Swanson, DPA IV – Criminal, promotion

- Martha Voss, DPA III – Criminal, promotion
- Eleonora Somoza, DPA IV – Criminal, promotion

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

The Board met today at 9:33 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, EOM Christine Wendelsdorf (left at 9:35 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Meeting to consider signing 2021 Grant Adjustment Notice from The Idaho Office Of Emergency Management: Ms. Wendelsdorf explained this is a request for an extension of the 2021 SHSP grant award; there is approximately \$4000 remaining in grant funds. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the 2021 Grant Adjustment Notice from The Idaho Office Of Emergency Management (see agreement no. 24-041).

Discussion ensued regarding general updates including a document related to Timber Creek Recycling/Landfill transfer station, the towing ordinance and the Crookham issue.

The meeting concluded at 9:38 a.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR SOUTHWEST DISTRICT HEALTH

The Board met today at 10:35 a.m. for the FY2025 budget workshop for Southwest District Health. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam (left at 11:48 a.m.), Auditing Supervisor Sarah Winslow (left at 11:48 a.m.), Nikki Zogg, Troy Cunningham, Don Lee and Daniel Adams with Southwest District Health, COO Greg Rast and Deputy Clerk Jenen Ross. The following were reviewed with the Board:

- Fiscal year 2023 Impact Report
- FY25 budget presentation
 - Letter of transmittal
 - District profile
 - Financial Information including a summary for the district, the youth crisis center and the adult crisis center
- FY25 budget request \$2,416,404

Director Zogg addressed Commissioner Holton’s questions regarding land use issues specific to septic systems and drain fields and emergency response planning.

Mr. Adams spoke to some of the efforts he’s been working on within the community.

The meeting concluded at 11:51 a.m. and an audio recording is on file in the Commissioners’ Office.

PUBLIC HEARING - APPEAL BY DESTINY PLATT OF THE DIRECTOR'S DECISION DENYING A REQUEST TO MODIFY TWO (2) CONDITIONS FROM CASE NO. AD2021-0060 AND RD2021-0021, CASE NO. AD2021-0060 APL (AD2023-0060 MOD)

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of an appeal by Destiny Platt, represented by Darin Taylor, of the Director’s decision denying the request to modify two conditions from Case No. AD2021-0060 and RD2021-0021, Case No. AD2021-0060APL (AD2021-0060 MOD). Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, Deputy PA Zach Wesley, Destiny Platt, Steven Platt, Darin Taylor, Gary Stark, Trevor Lantz, Sarah Van Curen, Paul Thomas, Kohl Hall, Mike Johnson, other interested persons, and Deputy Clerk Monica Reeves.

DSD Director Sabrina Minshall gave the oral staff report consisting of the case history, timeline, access, agency comments, and public comments. Destiny Platt is appealing the Director’s decision on Case AD201-0060MOD to modify the approved access for Parcel R38437011 from Indecision Lane to utilize a 25-foot County easement off of Goodson Road, which was the result of a 1978 contract between the U.S. Bureau of Reclamation and Canyon County. On August 3, 2021, Edward Goodson received approval for an administration land division for Parcel R38437 that created four parcels, three with building permits and one agricultural-only parcel. On November 26, 2023, Destiny Platt/Goodson Family Trust requested modifications of two conditions from AD2021-0060 and RD2021-0021 to:

- Remove condition no. 7 which states “Crossing agreement with Black Canyon Irrigation District (BCID) must be in place prior to the issuance of any building permit(s)” with a request to replace it with “a crossing agreement must be in place prior at time building permits applied for.” Or, “Crossing agreement must be in place prior to the issuance of building permit(s) to parcel #4 as cited on record of survey for Goodson Family Trust.” *(Today’s appeal is not going to address this condition because subsequent to the denial, the applicant submitted a partial withdrawal to not address this condition. The Bureau of Reclamation gave the crossing permit with BCID’s approval.)*
- The applicant is also requesting to change the ingress/egress from the approved access per case no. RD2021-002 which utilized a proposed private road, “Indecision Lane” and the approved 28’ easement reduction for a portion of the access. The applicant is requesting to replace this requirement with an alternate access for parcel 3 (R38437011)

utilizing “Goodson Road,” but it’s actually the County 25-foot easement for a public road that comes off Goodson Road (that is Canyon County agreement with the Bureau of Reclamation).

The subject property is located approximately 658 ft. south of Goodson Road.

The following people testified in support of the appeal:

Destiny Platt testified the appeal is regarding access to her 10-acre parcel off of Goodson Road. She is not appealing the crossing agreement wording modification that was on the public hearing notice because she already has a crossing agreement in place that has been accepted by all parties involved. She addressed the open county road that is 662 feet in length for a total of .38 acres as referenced in the 1978 contract between the Bureau of Reclamation and Canyon County. The road was in existence long before 1978 as a judgement that was issued in 1960 that specifies the property owners it affects; it does not reference the land between Goodson Road and the private property owners. This is later addressed by the 1978 contract for an open county road. DSD has had difficulty in understanding what to call the 662 feet off Goodson but she has found clarification in state code, Title 40 regarding width, maintenance, and jurisdiction of roads. Ms. Platt believes the Director’s decision was based on incorrect facts that were provided to DSD from BCID via email dated June 28, 2021. The terms of the 1978 contract are clear, nowhere does it state the County must exercise use to keep it existing. The surrounding landowners have continuously used it and maintained it seeking no compensation from the County. If Canyon County wants her to sign an agreement stating she will not seek compensation from the County regarding the maintenance of the open county road she will be happy to do so. Her use of the road will not put Canyon County under any additional liability that it is not already currently under as it has always served by residential and agricultural purposes. She addressed the legality of access to her parcel. She purchased the property in August of 2021 and her only legal access comes off Goodson Road, not Indecision Lane. She believes DSD misinterpreted the cited survey and easements that were referenced when finalizing the administration decision AD2021-0060. The 28-foot ingress/egress Farmwell maintenance easement states it only benefits 1.97 acres which is far from fitting her parcel’s description of 10 acres. The survey from July 27, 2021 clearly states to see sheet 2 in regards to parcel no. 3. Sheet 2 states the 25-foot open county road right-of-way contract and specifies the 28-foot Farmwell maintenance easement. However, DSD took sheet 1 of the survey and labeled it with a line from Indecision Lane to Farmwell as a 28-foot ingress/egress easement. Removing the maintenance easement wording leaving it open for misinterpretation as an easement that benefitted her 10-acre parcel. Ms. Platt has provided proof of her existing and only legal access to her property and the lack thereof off of Indecision Lane, hence her request for an amendment to correct the oversight. She and her husband purchased a manufactured home in March of 2023 and she has been in constant communications with DSD regarding both access points ever since. The manufactured home company has been storing their home throughout this process but they cannot continue to do so. The majority of her 10-acre parcel is in field and irrigated by a pivot leaving them no room to store it on their property as they do not wish to impact the agricultural aspect in which her parcel serves. The only place to store the home is where it will be placed on a foundation as the site was strategically picked on a corner of fallow ground on

a slope and out of the way of the pivot. The access to Goodson Road is not only open and existing but the most common-sense solution to the issue at hand. She asked the Board to recognize what has always been and to recognize the existing open county road located off Goodson Road and reverse the denial so she may have access and an address from Goodson Road.

Darin Taylor offered testimony on behalf of the applicant. The issue in this case appears to be whether the County has authority under the 1978 contract to allow use of the road right-of-way easement by some users but not others. He read language from the contract into the record. The county was granted a road described as the west 25 feet of the north ½ of the NW ¼ of the NE ½ of Section 24, Township 5 North, Range 4 West, Boise Meridian, Canyon County, Idaho. The tract of land contains 0.38 acres and is subject to all existing easements and rights-of-way. Since the County did not and does not own or have an interest in real or personal property within miles of the county road, there is no reason for the grant to have been limited to use only by County employees or for County purposes. The grant's reasonable interpretation and interference is that the road was to be open and used to access parcel adjacent to the south end of the county road, the applicant's parcel. There are no terms or conditions in the 1978 contract limiting the road to residential users or ag users or the then-existing residential and ag users. The County has sole jurisdiction over the road subject only to the terms and conditions of the contract. It can be concluded it is an open county road. The applicant asked for a change access from Hop Road via Indecision Lane to Goodson Road via the open county road. DSD denied the request but did not articulate a reason why or cite County code or a single state or federal law or regulation. No one has been prohibited by the County from using the open county road and the right-of-way except the applicant. Denying Ms. Platt access using the open county road denies her the same benefit other properties using the road enjoy. They request the Board approve the request and modify the administrative decision to change from Goodson Road via Indecision Lane to the open county road from Goodson Road. Following Mr. Taylor's testimony, he responded to questions from the Board. There were also questions for Director Minshall regarding road standards, rights-of-ways, and driveways.

Gary Stark testified that he lives by Indecision Lane. Google Maps show Indecision Lane and the proposed route to the Platt property versus coming off Goodson Road and it's one mile or more to go off of Indecision Lane to get to this property. It doesn't seem logical for an emergency vehicle to travel a mile with several turns getting around another residence to try to find the Platt home in the event of an emergency. The logical route is to come off Goodson Road if that if at all possible because it's only 600 feet to the proposed property.

Commissioner Van Beek declared that she is familiar with Gary Stark's land use decision on his property where the Board granted an agricultural haying operation to continue and we limited the ability to build on his property to a corner so the bulk could continue.

Trevor Lantz gave testimony regarding the history of the property and said the intended use for the lane was for agricultural use for cattle. His grandfather initially sold this property to his sister and some of the background to that is it stems to the use of when it was Mr. Lantz's great grandfather's property where the original use was a homestead in 1904 on the other side of

Goodson Road and that lane existed for his cattle use. The usage has changed a lot but for the most part it does intersect with Indecision Lane and comes off a private lane. It cannot be used for any other purpose because it intersects with an irrigation ditch. There is no other purpose for it at this time other than agricultural and residential which it is also currently being use for.

Paul Thomas testified about the Goodson Family Trust and the way they look at this property. When it was originally split by his father-in-law they wanted the building lots in area that would be the least impactful to the farming operation. The Goodson Family Trust will eventually be transferred to his wife and it is her intention to leave it in agriculture. Indecision Lane was intended to be an access for their heirs if they ever wanted to develop for residential use. Currently it serves as access to one other parcel for residential and agriculture.

Mike Johnson owns property to the south of the subject property and testified the section has been used as the sole access point. It functions as a driveway and for the agricultural use. The harmony of how it works between the cars and owners is easily managed and the road surface has stood the test of time so far. He supports the Platts placement of a home and using the logical access.

Rebuttal comments were offered by Destiny Platt. She said Orton Engineering submitted a letter listing multiple options the County could look at in possibly granting this access point off of Goodson Road. Recognize the contract easement in accordance with the agreement, and consider the easement to be the driveway to grant the allowance for the road to reside in the 25-foot easement which is 3 feet smaller and allowed by code.

DSD Director Minshall said Darin Taylor had comments regarding a driveway easement being a different width than a private driveway. The private road and driveway ordinance was adopted by the County in 2016 and it says driveways serving two or more properties and all private roads shall be located within a recorded perpetual easement having a minimum width of 60 feet for the right-of-way for a public street for the purposes of ingress/egress. The easement with width reduction may be reduced to width not less than 28 feet. She reviewed the criteria regarding surface width. Indecision Lane is 60 feet; it was the private driveway that comes off of Indecision that heads toward Goodson and has had the variance down to 28 feet and it's not been completely improved. It would need an all-weather driving surface of 12 feet. There were follow-up questions from the Board.

Commissioner Brooks asked if the Board can condition it and allow it at 25 feet? Deputy PA Wesley referred to the agreement with the Bureau of Reclamation it's called a county road that we agreed to maintain in 1978 and we made a lot of commitments to the Bureau of Reclamation for that road so it is limited to 25 feet and is subject to any other previously acquired rights by third parties and we are agreeing to maintain the road for the life of it. We are subject to all of the expenses that would be incurred with the road. If our construction of it interferes with the Bureau's operations we are liable to make a payment to them for any additional costs they would incur because of our use. The agreement has conditions and we have the permanence issue which is the Bureau can cancel the agreement if we are not complying with the term and conditions. Could

we go lower than 25 feet? Not under the ordinance on a private road or the driveway requirements - those are all set at the minimums but potentially it could be called a county road and they are taking access off the county road which is only 25 feet. There was further discussion between the Board and staff.

Destiny Platt spoke about her communication with the Bureau of Reclamation and said they do not care who maintains that, even though it is granted to the County the County can choose who they want maintaining it whether it is the landowners or the highway agency maintaining it. The agreement is serving a landlocked property, that is it's only means for access which would be Mike Johnson, that is their only access and under what she found under abandonment of rights-of-way or driveways or roadways is you cannot abandon a landlocked residence and that would then create the argument between private vs. public and it can't be private because it's granted to the public. She is not looking to change what the use is, the liability of the County is the same it has always been.

Commissioner Brooks suggested the Board continue the hearing to a later date so they can gather information and potentially allow the Board to explore some option for making this work. Commissioner Van Beek supports that and said while she appreciates that somebody else could maintain it, that's not what the document says so in its most literal sense the County would still be on the hook if property changed hands. Deputy PA Wesley said he has not had the conversation about how they would view that assumption of liability from another user. The Bureau of Reclamation is prohibited from transferring to private property owners and they would not approve the County doing a straight transfer to a private property owner. Another govt entity would potentially work. Theoretically we could have an agreement that would transfer the liability and burden to maintain the road, but at the end of the day, it would always fall back on the county as long as the agreement were in place. Director Minshall said it would be helpful to have direction of parameters the Board wants for that discussion because it's a matter of what is the County willing to do with this location. Commissioner Holton wants to explore the option of having the County be released from the agreement. Deputy PA Wesley will work with Darin Taylor and see if he can prepare a draft agreement along the lines discussed and potentially see if the Bureau of Reclamation had any objections to that. The Board continued the hearing to May 23, 2024 at 4:00 p.m. The hearing concluded at 2:56 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: MARGARET PERSON, REPRESENTED BY STEVE LAW, IS REQUESTING A COMPREHENSIVE PLAN MAP AMENDMENT, AND CONDITIONAL REZONE FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-R1" (SINGLE-FAMILY RESIDENTIAL) ZONE, CASE NO. OR2022-0005 AND CR2022-0011

The Board met today at 3:06 p.m. to conduct a public hearing in the matter of a request by Margaret Person, represented by Steve Law, for a comprehensive plan map amendment, and conditional rezone of approximately 10.66 acres from an "A" (Agricultural) zone to an "R-1" (Single-Family Residential) zone for a 7-lot subdivision, Case Nos. OR2022-0005 and CR2022-0011.

Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner Michelle Barron, DSD Planning Supervisor Carl Anderson, DSD Director Sabrina Minshall, Steve Law, Kurt Smith, Gary Johnston, other interested citizens, and Deputy Clerk Monica Reeves.

DSD Planner Michelle Barron gave the oral staff report. The subject property, Parcel R36963020, is located at 28753 Peckham Road in Wilder. The Planning and Zoning Commission recommended denial of both the comprehensive plan map amendment request and the conditional rezone request on October 19, 2023. There are five criteria that have to be met to review a comprehensive plan amendment, and eight criteria that have to be met to approve a conditional rezone. The area across Peckham Road has large agricultural production parcels and there are several homesites of varying size along with some smaller family homes. The average lot size within the vicinity is 9.12 acres. The applicant has provided a conceptual plan requesting 7 lots served by private road; the average lot size is 1.3 acres. The future land use designation in the 2020 Comprehensive Plan is agricultural, and the applicant applied under the 2020 plan. The nearest residential designation and zone are over 2 miles east in Wilder's impact area. The property is not in a growth area and does not have future funding for necessary infrastructure. The parcel is commensurate with other parcel sizes created by land division in the area. Planner Barron reviewed the land division history and subdivisions in the area as well as the comments from the public and from agencies. There is a feedlot located .78 miles from the subject property. The application aligns with only one goal and four policies of the 2020 comprehensive plan.

The following people testified in support of the request:

Kurt Smith testified that Margaret Person has a right to request a comprehensive plan amendment and conditional rezone. Right of possession, control, exclusion, disposition and the right to enjoy are all defined in the property rights section of the comprehensive plan. They will further develop CC&Rs that will promote the right to farm to respect the neighborhood farms while maintaining the existing use of the National Guard building located to the south. There will also be a development agreement. Mr. Smith spoke about the high demand for rural lifestyle properties. This development does not have best or moderately suited soils. It has soils that are 50% class IV soils according to the Canyon County Soil Conservation District. At 50% of the soils with slopes that range between 12%-25% the later 50% was not rated because of the excessive slopes. A scope of work was done to determine the viability of the onsite construction and its repercussions to hydrology and groundwater in the area and to provide construction recommendations for construction on the observed slopes. The property has been used as a gravel pit and the topsoil has been removed, mainly on the top of the hill where the flat soils appear. With the topsoil removed they do not believe it still has a class IV rating. They do not see a higher use for the property than what they are proposing. There is no water right; it is the site of an old gravel pit and the existing topsoil has been removed. It is not developed farmland, nor will it ever be used to grow crops. This seems like a good place for housing that will not take up viable farmland. Mr. Smith spoke about growth trends, the lack of rural properties and how the project helps meet the balance to maintain rural ag in the future and projected growth to come. The nitrate priority study was approved by DEQ for seven lots with seven individual septic system. A private road will

provide access to all lots and will meet agency standards. Following his testimony, Mr. Smith responded to questions from the Board.

Steve Law testified that he concurs with Kurt Smith's testimony. The property has no potential other than what he is requesting to do, and he plans to make it an outstanding project. He has been experiencing some health issues and would appreciate approval of his request.

The following people testified in opposition to the request:

Gary Johnston lives on Peckham Road, ¾ of mile from the subject property and he testified he would rather see houses built on properties like this than the beautiful farm ground that's being rolled under every day; however, his concern is with putting a residential development in an agricultural zone. People complain about smells, flies, dust, etc., and it causes issues for other ag producers and it seems to be spot zoning and then the neighbors will want to split their land. He is not supportive of changing the comprehensive plan designation.

Kurt Smith offered rebuttal comments stating they will include a right to farm statement on the plat, and will develop CC&Rs that take the neighbors' concerns into account. There will be a development agreement where concerns can be addressed and that will stay with the land to mitigate the issues. The developer chose individual wells rather than a commuter water system due to the expense involved.

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

Commissioner Brooks said he has issues with both the 2020 and 2030 comprehensive plans because plans should not be developed with a broad brush. The area is zoned agriculture but it has residential and smaller properties and the comp plan does not take into account that there is housing surrounding this property. People have said the Board is not supportive of agriculture and yet the same individuals do not realize they live in a residential property that is zoned agriculture so aside from that the actual property is where development should be. It's not conducive to growing a crop, it has no top soil and there is no water right so you have to try to get a water right from the state to try to grow something on top of a hill with terrible soil. It's not being farmed and it doesn't look like it's been farmed in the past. He is in favor of moving forward and approving the development. This is not agricultural ground; it's in an agricultural area where development has been allowed. It's unfortunate that was not called out by the P&Z Commission.

Commissioner Van Beek said there is not a better place to locate something like this but the conflict is there is ag in the area. She was in the area a few weeks ago while driving with her husband (not to view the subject property) and there are a lot of hobby farms and they are broken up and if we're going to put a residential development somewhere it's preferable to do it with two strikes against it on a sandy hill with no water, but there is large-scale diversified ag in the area. The nearest identified residential designation is more than two miles away. There is a high demand for people wanting to live in a residential area but people that do not understand

agriculture and they aren't going to understand fly-ons and different things like that. This is a unique area.

Commissioner Holton said comprehensive plans are difficult because you're dealing with a large area and you have very narrow areas like this that cry out for specific areas of consideration. He is frustrated that the P&Z Commission did not explore the specificity of this unique area than just the broad brush of agriculture. This ground will be a challenge if it was placed into R-1 just for them to maintain the yard, you're on a gravel pit and the topsoil has been removed. The way the ground lies is not going to impede agriculture other than the traffic the seven lots will generate and that is a concern with the CAFO down the road. Spot zoning to him is if this was flat land and the geographical characteristics were bland and we took a spot in the middle of bland land. The US Airforce had it as a temporary airbase in the middle of nowhere in the 1960s and 1970s as a remote radar site. He wants to deliberate towards considering an amendment to the plan. He cannot see it as spot zoning because of what has gone on for decades before this application came forward. Its highest use will never be agriculture.

Commissioner Van Beek said given the conflict that exists with people that do not understand agriculture and chose to live there would be a hard sell where that decision has been argued all the way to the Supreme Court, she thinks the Board needs the opportunity to look at the plan and decide what the unique areas are.

The Board reviewed the comp plan amendment criteria, CCZO 07-06-03:

Is the requested type of growth generally in conformance with the comprehensive plan?

Commissioner Holton said generally it is in conformation with the comp plan, but there is the issue about the g ground and the production and protection of that. Commissioner Brooks said there are other parts of the plan that put this to the point where we want development in places like this rather than places we want to see in production agriculture.

When considering the surrounding land uses, is the proposed land use more appropriate than the comprehensive plan designation?

Commissioner Holton believes it is because we are looking at the surrounding land uses within the area of how this ground has been consumed out of ag, obviously across Peckham to the north are all the large ag pieces and we are not contemplating or considering those. He has concerns about putting more people close the CAFO. Commissioner Brooks said prior Boards have allowed residential without rezoning and in looking at what has developed in the area it is more appropriate for this parcel of ground. Commissioner Van Beek said the balance to that is the impact on the surrounding ag operations. There are good arguments on both side but it is a domino effect.

Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted?

Commissioner Holton said the 2020 comp plan created this plan to make it so it was in noncompliance and they did not correct it in the 2030 comprehensive plan.

Will the proposed comprehensive plan amendment impact public services and facilities. What measures will be implemented to mitigate impacts? Commissioner Holton doesn't think it will be an impact for public services on sewer/water, but it's possible on road or power. There was discussion about what the Board could tell the applicant they need to do in order to gain approval.

DSD Planning Supervisor Carl Anderson said the P&Z Commission said an alternative to denial would be to have the applicant apply for a conditional rezone to residential rural rather than rural residential, with a development agreement agreeing to three lots. Commissioner Brooks is in favor of looking at a map amendment for this parcel to be considered residential, and what exactly residential can be debated in the future. Commissioner Holton would rather see the land used rather than be a gravel pile, but he'd also like it to be planned out where the community can have input. Director Minshall said the Board could deny both applications with direction to staff that as we come back in the near future to look at a county-generated comprehensive plan amendment to include this area and look at compatibility and policies and where the map amendment would be in the broader region then your answer to what can the applicant do, is wait until we have the comp plan is adjusted and look at the broader area. Commissioner Van Beek likes that idea. If we prioritize this area and the area south of Lake Lowell are in critical need of that analysis and it's going to take the Board and city partners to look at it to make sure we are consistent.

DSD Planning Supervisor Anderson said another alternative may be that if the applicant comes back with a rezone for a zone that is not a conditional rezone we would evaluate to see if we can make the findings for a comp plan amendment based on that application which would likely have different densities for a concept plan and other factors associated with it that may or may not impact the comprehensive plan amendment component. It may or may not impact the rezoning as far as whether that is something staff would be able to make findings for approval. Commissioner Van Beek said she cannot make a finding that says R-1 is where this area is going. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to deny Case No. OR2022-0005, a request for a comprehensive plan map amendment to amend the 2020 Canyon County Comprehensive Plan Future Land Use Map for Parcel R36963020 from agriculture to residential.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to deny Case No. CR2022-0011, a conditional rezone of approximately 10.66 acres from an Agricultural zone to a conditional rezone - single-family residential zone, and a development agreement. Commissioner Holton asked the applicant to work with DSD and work towards a goal to make this a viable situation and we need to take into consideration the active ag in the immediate area and try to balance all the things we need to balance and recognize what development has being on there and come up with a solution that makes it more compatible. The hearing concluded at 4:35 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Darin Bradshaw, Deputy Sheriff – received intermediate POST Certificate

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$6053.77 for the Information Technology department (PO #6009)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- McCall Brewing to be used on 6/9/24
- The Blue Eye to be used on 5/18 & 5/19

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- D&S Panasiuk, LLC dba Grocery Outlet of Nampa
- Kum & Go L.C. dba Maverik #5407
- Christensen, Inc. dba Sage Travel Plaza

Resolution no. 24-093

PRESENTATION BY THE HEALTH BOARD TRUSTEES

The Board met today at 9:31 a.m. for a presentation by the Health Board Trustees. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Rick Hogaboam, Deputy P.A. Zach Wesley, Lt. Martin Flores, Fleet Director Mark Tolman, Director of Indigent Services Yvonne Baker, Chief Deputy Assessor Joe Cox, Comp./Benefits Manager Bosco Baldwin, Benefits and Training Business Partner Nicole Ahlstrom, COO Greg Rast and Deputy Clerk Jenen Ross. Commissioner Holton left the meeting at 10:30 a.m.

Lt. Flores provided an explanation on how the Health Board Trustee board is comprised and operates.

Mr. Baldwin reviewed a PowerPoint presentation which covered the following points:

- Revenue currently being generated (County paid only); \$10,854,324
- Current employee contributions; \$111,516/monthly or \$1,338,192/annually
- Total expenditures vs. total funding revenue
- Two options
 - Option no. 1: Increase funding and modify plan document
 - Option no. 2: Migrate over to the State of Idaho plan
- Detailed review of what each option entails

- Option no. 1
 - Should we choose to continue the program “as is,” we will likely hit a critical underfunding point (possibly zero) in the next few years.
 - We will have to get a sizeable one-time infusion of cash from the BOCC to stop the losses.
 - The Plan Document will need to be significantly modified.
 - Employee premiums will need to be significantly increased.
 - We will need to hire a good broker to assist with the potential changes and possible complete overhaul of current service providers.

- Option no. 2
 - Make all plans being used by the State of Idaho (HSA, PPO, Traditional) available to our employees.
 - Switches us to a FIXED costs moving forward
 - As of today, the fixed cost to the county would be \$13,000/eligible employee.
 - Improved budget/forecast expenses for Canyon County.
 - Fully mitigate all liability to the county from a benefits liability standpoint.

- Guidelines and costs to participating in the state program
 - One time buy-in of \$3,465 per benefit eligible employee = \$2,803,185 (based on 809* eligible employees) **809 employees is based on removal of Public Defender employees as they will be state employees by the time the county would go live with state insurance if approved.*
 - Ongoing payments of \$13,000 x 809 employees = \$10,517,000 annually
 - Total expenditure of \$14,480,508
 - Current coverage per employee is \$17,341.93 vs. \$13,000 if approved to join the state plan.

- The next steps to apply to the state plan would be
 - Request inclusion
 - Review/response from state director
 - Risk analysis
 - Sign MOU
 - Buy-in

Further discussion ensued regarding coverage comparison and steps that may need to be taken if the county chooses to stay on the current plan; without changes there will be a zero balance in the reserves within the next few years.

Lt. Flores reviewed a PowerPoint presentation which covered the following points:

- Employer and employee contributions over the past 5 years; average yearly contribution is \$11,175,386.
- Total health trust revenues
 - Interest on savings
 - Pharmaceutical rebates
 - Stop loss reimbursement
 - Average revenue is \$12,525,983
- Health insurance fund total expenses
 - Between FY2022 and FY2023 county costs increased by 12.9% resulting in and overall loss to the health trust account of \$1,873,340
 - Estimated FY2024 cost with 10% increase is \$15,918,012
- Medical claims
 - Increased from 9.4% between FY2022 and FY2023
 - Current claim for FY2024 is \$3,964,984 which is down \$398,601 from this time last year.
- Pharmaceutical claims
 - Increased 25% from FY2022 to FY2023
 - Currently FY2024 pharmaceutical claims are at \$1,766,395 which is up \$122,254 over last year.
- Medical admin fees
 - Increased 10% over 2022
 - In FY2024, \$1,283,427 has been paid which is up \$233,818 over this time last year
- Health trust fund cash balance
 - Current balance is \$5,004,481
 - HRA liability is \$922,252
 - Fund is down \$154,478 from the beginning of FY2024
- Planning for the future
 - Hire insurance broker
 - New plan
 - Redesign of the current plan
 - Identify alternative, dedicated, funding for the health trust account
 - Increase premiums for both employer and employees
 - Option no. 1:
 - Change the County's per month contributions from \$1,053 to \$1200, effective immediately, and fund the Health Trust Account at total FTE, rather than based on enrollment.

- This will add \$1,582, 308 in additional premium revenues
- Increase Employee Medical Premiums on specific enrollment groups. (EE, E+ Child, E+ Children)
- Add Employee Premium for Delta Dental Coverage
- Option no. 2:
 - Change in County's per month contributions from \$1053 to \$1,083, effective immediately, fund based on enrollment, and roll over any medical and dental premium surplus to Health Trust Account.
 - Increase Employee Medical Premiums on specific enrollment groups. (EE, E+ Child, E+ Children)
 - Add Employee Premium for Delta Dental Coverage
- Health and Dental premiums are budgeted based on total FT, approved positions.
- The Health Trust only receives employer premiums based on current enrollment.
- Over the last four years \$3,341,449, budgeted for Health and Dental Premiums, has been returned to fund balance.
- For FY 2024, based on current trends, there may be a potential surplus of nearly \$900,000.
- Allocating any Medical or Dental premium surplus to the Health Trust Account at the end of each year will help minimize the loss to the fund.
- Reduce the need to adjust employee premiums.

A letter to the state will be drafted by legal for Board consideration at a later time. Additionally, with support from the Health Board Trustees, legal will prepare an RFP for broker services to be considered by the Board at a later time. The Board is supportive of having two options in the event the County is not approved to join the state insurance.

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

MAY 2024 TERM
CALDWELL, IDAHO MAY 16, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

- Sloan Security Group in the amount of \$34,308.11 for the Solid Waste department

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- El Guero, LLC dba Pollos Y Marisco El Guero
- Chapala Nampa, Inc., dba Chapala Mexican Restaurant III
- Chapala Mexican Restaurant #7, Inc., dba Chapala Mexican Restaurant #7
- Pantera Market, LLC dba Pantera Market
- Harwest Group, LLC dba The Syringa Lounge
- Horacio Tellez Castillo dba Taqueria Janitzio
- Ridley’s Family Markets, Inc., dba Ridley’s Family Markets
- Messenger, LLC dba Messenger
- Taqueria La Flama #2, LLC dba Taqueria La Flama

Resolution no. 24-094

- Sol Invictus Vineyard, LLC dba Sol Invictus Vineyard
- I.C.A.N. Foods, Inc., dba The Griddle
- Casa Robles, LLC dba Casa Robles
- Amano Restaurant, LLC dba Amano

Resolution No. 24-095

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas (left at 9:41 a.m.), Deputy P.A. Zach Wesley, Coroner Jennifer Crawford (left at 9:33 a.m.), Facilities Director Rick Britton (left at 9:41 a.m.), Parks Director Nicki Schwend (left at 9:41 a.m.), Outdoor Recreation Planner Alex Eells (left at 9:41 a.m.), Cpt. Harold Patchett (left at 9:41 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing agreement for pathology services with Gem County: Coroner Crawford explained this is a new contract with Gem County for pathology services; it is essentially the same agreement as is in place with Owyhee County. The contract has been reviewed by legal and there are no issues. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the agreement for pathology services with Gem County (agreement no. 24-042).

Consider signing legal notice requesting qualification statements for Architecture/Engineering Services for the George Nourse Gun Range four-year phased construction plans; and Consider signing request for qualifications for architecture/engineering services for the George Nourse Gun Range four-year phased construction plans:

Mr. Klaas explained that this is a joint effort between the Facilities and Parks departments and the Sheriff’s Office. Director Britton explained this is to better the safety standards and cleanliness at

the gun range. Additionally, they'd like to look at the potential of a new/separate area that could be used by the Sheriff's Office for training (both firearm and driver's training) and possibly have a running track if the Sheriff's Office ever looks to have its own academy in the future. Director Schwend spoke about how the gun range is highly used and is need of physical, safety and behavioral improvements. She feels that the best was to create behavioral improvements in the public is to improve the facility and show that expectations are changing. Director Britton said that the A&E for this project was include in the FY24 budget. Cpt. Patchett spoke about some of the other ways improvements to the gun range would be beneficial to the Sheriff's Office.

Commissioner Brooks made a motion to sign the legal notice requesting qualification statements for Architecture/Engineering Services for the George Nourse Gun Range four-year phased construction plans and the request for qualifications for architecture/engineering services for the George Nourse Gun Range four-year phased construction plans. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. 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. Zach Wesley. The Executive Session concluded at 9:50 a.m. with no decision being called for in open session.

The meeting concluded at 9:51 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

CONSIDER APPROVING CERTIFICATES OF NONCOMPLIANCE

The Board met today at 10:33 a.m. to consider approving certificates of noncompliance. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur and Deputy Clerk Jenen Ross.

Mr. Arthur gave a summary review of each parcel and the noncompliance issues. Certificates of noncompliance were considered as follows:

- **Parcel Number R29345 located at 719 W. Locust Lane in Nampa** – Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to issue the certificate of noncompliance.
- **Parcel Number R27724 located at 8955 Deer Flat Road in Nampa** – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue the certificate of noncompliance.
- **Parcel Number R25980 located at 9065 Owyhee Drive in Nampa** – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue the certificate of noncompliance.
- **Parcel Number R37867010A located at 27663 Farmway Road in Caldwell** – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue the certificate of noncompliance.
- **Parcel Number R32602 located at 4420 Farmway Road in Caldwell** – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue the certificate of noncompliance.
- **Parcel Number R38579 located at 24016 Notus Road in Caldwell** - Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue the certificate of noncompliance. Commissioner Holton has requested that DEQ be contacted regarding this property.

The meeting concluded at 11:07 a.m. and an audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO FOLLOW

PUBLIC HEARING – APPEAL BY SANTIAGO GOMEZ FOR AN ADMINISTRATIVE LAND DIVISION, CASE NO. AD2023-0133-APL

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of an appeal by David Ferdinand, representing Santiago Gomez, of Case No. AD2023-0133 regarding the denial of an Administrative Land Division to make Parcel R29035010A, a buildable parcel, Case No. AD2023-0133-APL. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, DSD Principal Planner Dan Lister, DSD Director Sabrina Minshall, David Ferdinand, Santiago Gomez, Bernie Ball, and Deputy Clerk Monica Reeves.

MAY 2024 TERM
CALDWELL, IDAHO MAY 17, 2024

APPROVED CLAIMS

- The Board has approved claims 605605 to 605608 in the amount of \$1,035.00

APPROVED MAY 17, 2024 PAYROLL

- The Board approved the May 17, 2024 payroll in the amount of \$2,314,401.06

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Red Robin International, Inc., dba Red Robin Gourmet Burgers & Brews
- Shewil, LLC dba Slick's Bar
- Kenal, LLC dba Kenal Leasing
- Yogi Farms, LLC dba H & M Meats and Catering
- Evergreen Restaurant, LLC 1313 dba Outback Steakhouse
- The Hop House, LLC dba The Hop House
- New Empire, LLC dba The Blue Eye

Resolution no. 24-096

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Alexa Barnum, temporary canoe science camp field instructor
- Noelle Halverson, temporary canoe science camp field instructor
- Lacey Scott, temporary canoe science camp field instructor
- Paige Calley, temporary canoe science camp field instructor
- Brenden Keleher, temporary canoe science camp field instructor
- Michael Bruce Mauldin, temporary deputy judicial marshal
- Connie Doan, promotion to Clerk II
- Joshua Gallup, promotion to Clerk III

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hart Intercivic in the amount of \$10,600.00 for the Elections department (PO #6015)
- NW Land Services in the amount of \$8800.00 for the Development Services department (PO #6036)
- Dell in the amount of \$6053.77 for the Information Technology department (PO #6009, this PO was originally approved by Board majority on 5/15/24 and by Commissioner Van Beek on 5/17/24)
- Atlas in the amount of \$18,304.00 for the Facilities department (PO #6035)
- Axon Enterprise, Inc. in the amount of \$19,139.40 for the Sheriff's Office (PO #19,139.40)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- O'Michael's Pub & Grill to be used 6/14/24; 6/8/24
- V-Cut Lounge to be used 5/25/24

- Raising Our Bar to be used 6/1/24; 6/2/24; 6/7/24; 6/8/24; 6/14/24; 6/21/24; 6/22/24; 6/28/24; 6/29/24; 6/30/24
- Liberty Lounge to be used 6/7/24; 6/12/24; 6/13/24; 6/15/24; 6/16/24; 6/17/24; 6/19/24; 6/22/24; 6/22/24; 6/23/24; 6/26/24; 6/29/24; 6/5/24

DETAILED MINUTES TO COME AT A LATER TIME

Meeting to Consider Approval of Agreement for Operation of Transfer Station with MM Properties - Northside, LLC; and Consider Approval of a Permit for MM Properties – Northside, LLC to operate a transfer station

Action Items:

- Consider approval of Agreement for Operation of Transfer Station with MM Properties - Northside, LLC
- Consider approval of a Permit for MM Properties – Northside, LLC to Operate a Transfer Station

MAY 2024 TERM

CALDWELL, IDAHO MAY 20, 2024

Treasure Valley Partnership Meeting

Commissioners Attending COMPASS Meeting Regarding Potential Canyon County, Countywide Local Option Registration Fee

MAY 2024 TERM

CALDWELL, IDAHO MAY 21, 2024

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- M&R Ruszonis LLC dba Ruszoni's Pizza
- The Twisted Fig LLC dba The Twisted Fig
- El Rico Pan Bakery Inc. dba El Rico Pan Bakery

Resolution no. 24-100

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Craft Lounge to be used 5/25/24; 5/30/24; 6/1/24; 6/8/24; 6/15/24; 6/22/24

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Charlotte Savage, Clerk I, new hire
- Mckenzie Childs, Clerk I, new hire
- Marissa Sandoval, Court Clerk, temporary

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

- Motorola Solutions in the amount of \$50,683.35 for Emergency Management (PO #5845)

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with County Attorneys for a Legal Staff Update and Consider Action Items:

- Action Item: Consider resolution appointing Chelsee Boehm to the Historic Preservation Commission
- Action Item: Consider Memorandum of Agreement to Support Clinical Services in Juvenile Detention Facilities
- Action Item: Consider signing Solicitation of Bids for the Fleet Shop HVAC Project

Action Item: Consider resolution approving an alcoholic beverage new licenses:

- Hot Chicken Idaho, LLC dba Dave's Hot Chicken
- The Chapp Wine & Tap, LLC dba The Chapp Wine & Tap

Meeting with Development Services Dept., Staff to consider the following:

- Action Item: Consider Approving Final Plat for Wyatt's Hollow No. 2, Case No. SD2021-0022
- Action Item: Consider Approving Final Plat for Oaklee Estates No. 1, Case No. SD2021-0054

Action Item: Consider Approving Tax Charge Adjustments by PIN

PUBLIC HEARING: APPEAL BY GAINELLE MASSOTH OF THE DIRECTOR'S DECISION DENYING A PROPERTY BOUNDARY ADJUSTMENT, CASE NO. AD2023-0115-APL

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of an appeal by Gainelle Massoth, represented by Darin Taylor, of the Director's decision that denied a property boundary adjustment of approximately two acres, Case No. AD2023-0115-APL. Present were:

MAY 2024 TERM
CALDWELL, IDAHO MAY 22, 2024

APPROVED CLAIMS

- The Board has approved claim 605845 ADV in the amount of \$3,892.00
- The Board has approved claims 605965 to 606004 in the amount of \$73,094.05
- The Board has approved claims 606005 to 606040 in the amount of \$207,361.65
- The Board has approved claims 606041 to 606080 in the amount of \$50,065.00
- The Board has approved claims 605609 to 605662 in the amount of \$100,175.01
- The Board has approved claims 605663 to 605714 in the amount of \$480,292.96
- The Board has approved an expert witness claim in the amount of \$651.34

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Compliant Technologies in the amount of \$5584.50 for the Sheriff's Office (PO #5846)
- ACCO in the amount of \$14,375.00 for the Facilities department (PO #6034)

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Pilot Travel Centers, LLC dba Pilot Travel Center #638
- Hat Ranch Winery, LLC dba Vale Wine Company/Hat Ranch Winery
- Ridgewood Enterprises, Inc., dba Legacy Feed & Fuel
- Danelion Brewery, LLC dba Danelion Brewery
- Shi Sushi Restaurant, LLC dba Shi Sushi Spirits
- Uppercuts Barber Shop, LLC dba Uppercuts Barber Shop/Upperclass Beauty Salon
- Crescent Brewery, LLC dba Crescent Brewery
- Short Stop, Inc., Lake Lowell Market
- MCO Idaho, LLC dba Mesquite Creek Outfitters

(Resolution No. 24-101)

DETAILED MINUTES TO COME AT A LATER TIME

Budget Workshop – Commissioner and Constituent Services Discussion

MAY 2024 TERM
CALDWELL, IDAHO MAY 23, 2024

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- H&M Meats and Catering to be used 6/7/24
- The Blue Eye to be used 6/8/24

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Doug Hart, Chief Deputy Sheriff, correction to pay
- Charles Gentry, Captain, correction to pay
- Raymond Talbot, Captain, correction to pay
- Harold Patchett, Captain, correction to pay
- Travis Engle, Lieutenant, correction to pay
- Russell Donnelly, Lieutenant, correction to pay
- Chad Harrold, Lieutenant, correction to pay
- Brian Crawforth, Lieutenant, correction to pay
- Douglas Gately, Lieutenant, correction to pay
- Martin Flores, Lieutenant, correction to pay
- Gavin Tweedie, Misdemeanor Probation Officer, new hire

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Jamf in the amount of \$22,459.50 for the Information Technology department (PO #6012)
- Dell in the amount of \$20,285.04 for the Information Technology department (PO #6011)
- Jatheon in the amount of \$7649.00 for the Information Technology department (PO #6037)
- Dell in the amount of \$6302.05 for the Information Technology department (PO #6038 – this PO supersedes PO #6009 signed on 5/15 & 5/17 which has been voided)
- Dell in the amount of \$55,887.16 for the Information Technology department (PO #6010)
- Marv's Insulation in the amount of \$8,994.00 for the Facilities department (PO #6017)
- Coble Company Promotions LLC in the amount of \$25657.20 for the Sheriff's Office (PO #5843)

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with county attorneys for a legal staff update and to consider an action item

- Action Item: Consider a Resolution Designating Surplus Personal Property with Nominal Value
- Action Item: Consider letter to Idaho Department of Administration regarding County participation in State group health insurance plan

Action Items:

- Consider resolution granting a transfer alcoholic beverage license to Abdu Utaev Holdings LLC dba Utaev Stores
- Consider resolution granting a transfer alcoholic beverage license to Gallegos Meat Market Caldwell LLC dba Gallegos Meat Market

Action Item: Consider matters related to Indigent Services

FY2025 Budget Workshop for the Treasure Valley Partnership

Monthly Meeting with the Administrative District Judge and the Trial Court Administrator

FY2025 BUDGET WORKSHOP FOR THE WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT

The Board met today at 2:00 p.m. for the FY2025 budget workshop for the Western Alliance Caldwell Veterans Council. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, COO Greg Rast, Dave Lincoln from WAED, DSD Director Sabrina Minshall, other interested persons, and Deputy Clerk Monica Reeves. Mr. Lincoln reported on the organization's activities and budget information. This year WAED is requesting \$20,000 in county funding. The Board had follow-up questions for Mr. Lincoln who will provide addition information regarding funding commitments as well as a job description. There was Board consensus to include the \$20,000 funding request in the budget as a placeholder. Commissioner Brooks said the smaller communities have been vocal about the growth that's been occurring in agricultural areas so this is something he wants to have more discussion about at some point. A copy of the application and related documents are on file with this day's minutes. The meeting concluded at 2:30 p.m. An audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR THE CANYON SOIL CONSERVATION DISTRICT

The Board met today at 2:35 p.m. for the FY2025 budget workshop for the Canyon Soil Conservation District. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, COO Greg Rast, Mike Swartz, Chairman of Canyon Soil Conservation District, , and Board members Brad McIntyre, Bob McKellip, and Chris Gross, as well as DSD Director Sabrina Minshall, and Deputy Clerk Monica Reeves. A PowerPoint presentation was on water quality and soil health, a copy of which is on file with this day's minute entry. A demonstration was given explaining why unhealthy soils run off. This year the organization is requesting \$30,000 in County funding. There was Board consensus to include Canyon Soil Conservation District's funding request in the budgetary process. The meeting concluded at 2:52 p.m. The Board is gathering information and will get back with the Canyon SCD regarding its funding request. An audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR THE CALDWELL VETERANS COUNCIL

The Board met today at 3:00 p.m. for the FY2025 budget workshop for the Caldwell Veterans Council. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, COO Greg Rast, Terry Harrell, Joe Moore, Chuck Staddick and others from the Caldwell Veterans Council, and Deputy Clerk Monica Reeves. Mr. Harrell reported on the programs and services the council provides to veterans and their family members. This year they are requesting \$36,500 in County funding. There was Board consensus to include the \$36,500 funding request in the budgetary process for further discussion. A copy of the presentation is on file with this day's minutes. The meeting concluded at 3:34 p.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO FOLLOW:

PUBLIC HEARING: APPEAL BY DESTINY PLATT OF THE DIRECTOR'S DECISION DENYING A REQUEST TO MODIFY TWO (2) CONDITIONS FROM CASE NO. AD2021-0060 AND RD2021-0021, CASE NO. AD2021-0060 APL (AD2023-0060 MOD)

MAY 2024 TERM
CALDWELL, IDAHO MAY 24, 2024

APPROVED CLAIMS

- The Board has approved claim 605715 to 605751 in the amount of \$23,380.58
- The Board has approved claims 605752 to 605808 in the amount of \$123,466.23
- The Board has approved claims 605809 to 605843 in the amount of \$59,384.90
- The Board has approved claims 605846 to 605885 in the amount of \$277,502.81
- The Board has approved claims 605886 to 605926 in the amount of \$49,334.25
- The Board has approved claims 605927 to 605964 in the amount of \$80,180.86

MAY 2024 TERM
CALDWELL, IDAHO MAY 28, 2024

APPROVED CLAIMS

- The Board has approved claim 606083 to 606121 in the amount of \$52,416.08

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Rebecca Brumbelow, Customer Service Specialist, returning to Motor Vehicle division from Reappraisal
- Ryki Bowen, Customer Service Specialist, returning to Motor Vehicle division from Reappraisal

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- The End Zone to be used 6/15/24
- The End Zone to be used on 8/24/24

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- SBS Enterprises, LLC dba Valhalla Pub; The Stil, LLC dba The Stil (1225 1st St., South, Nampa, ID); The Stil, LLC dba The Stil (712 Arthur St., Caldwell, ID); Sawtooth Sockeyes, LLC dba Sawtooth Sockeyes; Campos on Lonestar dba Campos on Lonestar; Fast Market Nampa, Inc., dba Fast Mart; Calle Café, Inc., dba Calle

Resolution no. 24-105

- Prabbhu G. Kripa LLC dba PK Mini Mart; Gallegos Meat Market Caldwell LLC dba Gallegos Meat Market; Abdu Utaev Holdings LLC dba Utaev Stores; City of Nampa dba Centennial Golf Course

Resolution no. 24-111

- Melba Pizza Extreme, LLC dba Melba Extreme Pizza; Tacos Y Mariscos El Compa, LLC Tacos Y Mariscos El Compa; Caldwell Bowling Center, Inc., dba Caldwell Bowl

Resolution no. 24-112

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

The Board met today at 9:36 a.m. for a meeting with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Deputy P.A. Laura Keys, CCSO Customer Service Specialist Amanda Frailey (left at 9:42 a.m.), Assistant Facilities Director Carl Dille (left at 9:45 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing a Resolution Classifying Records of the Canyon County Sheriff's Office and Authorizing the Destruction of Certain Criminal Case Files/Records: Ms. Frailey provided a review of the records to be destroyed which are also outlined in the resolution; all records are from 2021 or before. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to sign the resolution classifying records of the Canyon County Sheriff's Office and authorizing the destruction of certain criminal case files/records (resolution no. 24-106).

Consider signing a Resolution Classifying Records of the Canyon County Prosecutor's Office and Authorizing the Destruction of Certain Juvenile Case Files/Records; and Consider signing a Resolution Classifying Records of the Canyon County Prosecutor's Office and Authorizing the Destruction of Certain Criminal Case Files/Records; and Consider signing a Resolution Classifying Records of the Canyon County Prosecutor's Office and Authorizing the Destruction of Certain Civil Case Files/Records: Ms. Keys explained that all the records to be destroyed have met the retention guidelines and are outlined in each resolution. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolutions Classifying Records of the Canyon County Prosecutor's Office and Authorizing the Destruction of Certain Juvenile Case Files/Records (resolution no. 24-108), Certain Criminal Case Files/Records (resolution no. 24-109) and Certain Civil Case Files/Records (resolution no. 24-107).

Consider signing Notice of Lowest Responsive Bid for the Canyon County Fire Protection Project: One responsive bid was received from Delta Fire Systems which Mr. Dille said came in under budget. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the notice of lowest responsive bid for the Canyon county Fire Protection project. A copy of the letter is on file with this day's minutes.

Resolution Approving a New Alcoholic Beverage License for S&G Retail, LLC dba Eskimo Hut: Commissioner Brooks noted that he reviewed the application and is in favor of approving. He then made a motion to sign the resolution approving a new alcoholic beverage license for S&G Retail, LLC dba Eskimo Hut. The motion was seconded by Commissioner Holton and carried unanimously (resolution no. 24-110).

The meeting concluded at 9:46 a.m. and an audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO COME AT A LATER TIME

Canvass May 21, 2024 Primary Election Results

MEET WITH COUNTY CLERK AND EIDE BAILLY FOR PRESENTATION OF THE FY2023 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR)

MAY 2024 TERM
CALDWELL, IDAHO MAY 29, 2024

DETAILED MINUTES TO COME AT A LATER TIME

FY2025 Budget Workshop for the Advocates Against Family Violence

FY2025 Budget Workshop for the West Valley Humane Society

DETAILED MINUTES TO COME AT A LATER TIME

PUBLIC HEARING: APPEAL BY BRISTLECONE LAND USE CONSULTING, REPRESENTING JC EXCAVATION, OF THE P&Z COMMISSION'S DENIAL OF A CONDITIONAL USE PERMIT, CASE CU2023-0002-APL

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of an appeal by Bristlecone Land Use Consulting, representing JC Excavation, of the Planning & Zoning Commission's decision to deny Case CU2023-0002 a conditional use permit (C.U.P.) to allow a staging area use within an "A" (Agricultural) Zoning District. Present were: Commissioners Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Michelle Barron, DSD Director Sabrina Minshall, DSD Associate Planner Doug Exton, DSD Code Enforcement Officer Gary Westerfield, Constituent Services Director Aaron Williams, Elizabeth Allen, Juan Carlos Nieves, Andres Gordillo, Marcario Gordillo, Grant Peterson, Harry Robinson, Barbara Harris, and Deputy Clerk Monica Reeves.

MAY 2024 TERM

CALDWELL, IDAHO MAY 30, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Kelsey Rush, Deputy Sheriff, received intermediate certificate
- Giovanna Rosas, Emergency Communications Officer I, new hire

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$14,762.94 for the Information Technology department
- DataBank IMX in the amount of \$87,811.76 for the Information Technology department

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Grant's Grill to be used 6/15/24; 6/22/24; 7/6/24; 7/13/24; and 7/24/24
- Three Girls Catering LLC to be used 6/7/24

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Nampa Wings, LLC dba Winger’s Restaurant & Alehouse; Thrifty Payless, Inc. dba Rite Aid #5409; Pacific Sushi, LLC dba Pacific Sushi; Corona, LLC dba Los Mariachis Mexican Restaurant #2; The Sick Stag, LLC dba The Sick Stag

Resolution no. 24-113

- Parma Ridge Wine & Spirits Co. LLC dba Parma Ridge; Heather Zimmerman dba The Garage Café

Resolution no. 24-114

- The Orchard House Inc. dba The Orchard House; Verns Lounge LLC dba Vern’s Lounge

Resolution no. 24-115

- Dynasty Diner LLC dba Coffee Cup Café; Valley Wide Cooperative Inc. dba Valley Country Store; Clifford Randall Raymond dba Red Dog Saloon; Cunningham Pastured Meats Inc. dba Cliff’s Country Market; Umbra LLC dba Mongolian BBQ Nampa; La Morena LLC dba La Morena

Resolution no. 24-116

DETAILED MINUTES TO FOLLOW

PUBLIC HEARING: APPEAL BY DANNY AND DEBRA CARDOZA OF THE P&Z COMMISSION'S APPROVAL OF CASE NO. CU2022-0036, A CONFINED ANIMAL FEEDING OPERATION FOR AK FEEDERS, LLC, CASE NO. CU2022-0036-APL

**MAY 2024 TERM
CALDWELL, IDAHO MAY 31, 2024**

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Jared Sermon, Juvenile Probation Officer I, new hire
- Joshua Jameson, Heavy Equipment Mechanic, new hire
- Roxana Lizarraga, Juvenile Probation Officer, new hire

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right Systems in the amount of \$34,759.50 for the Information Technology department (PO #6040)
- Dell in the amount of \$6962.00 for the Information Technology department (PO #6042)

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Taqueria Mexico Chiquito LLC dba Taqueria Mexico Chiquito

Resolution no. 24-118

- Intermountain Food Stores, Inc. dba Franklin Junction; Intermountain Food Stores, Inc. dba M&W Markets #6; Krung Thai Restaurant LLC dba Krung Thai Restaurant

Resolution no. 24-119

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- Uppercuts Barber Shop to be used on 6/9/24

DETAILED MINUTES TO COME AT A LATER TIME

Action Item: Consider signing Addendum No. 1 to the Solicitation of Bids for the Fleet Shop HVAC Project

Action Item: Consider signing a Resolution Increasing the Credit Card Prepaid Expense Account for the Pickles Butte Sanitary Landfill

Executive Session to discuss records exempt from public disclosure pursuant to Idaho Code, Section 74-206(1)(d)

Action Item: Consider Resolution Approving a New Alcoholic Beverage License for BFC 12th Avenue, LLC dba Boise Fry Company

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

THE MINUTES OF THE FISCAL TERM OF MAY 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