

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 1, 2024

DETAILED MINUTES TO COME AT A LATER TIME

Meeting to consider matters related to Indigent Services

- Action item: Consider approval/denial of indigent decisions and signing of liens

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

- Action Item: Consider IPSCC Grant Award Document for E911
- Action Item: Consider signing Independent Contractor Agreement for Court Appointment Counsel with Shawn Miller and CK Quade Law
- Action Item: Consider signing Ratification for Ada County Sheriff's Office Jail Housing Billing Agreement

Public Hearing to Consider Comments Regarding the Increase Administrative Fees for Vehicle Title and Registration Services

- Action Item: Consider signing a Resolution Increasing the Administrative Fee Charged by the Canyon County Assessor for Vehicle Registrations

- Action Item: Consider signing a Resolution Increasing the Administrative Fee Charged by the Canyon County Assessor for Vehicle Title Services

Action Item: Consider signing Domestic Violence Awareness Month Proclamation

Commissioners Attending Domestic Violence Awareness Press Conference

Location: Justice Park (Across from the Canyon County Administration Building, Caldwell, Idaho)

CONSIDER ACTION ITEMS: CONSIDER SOUTHWEST IDAHO JUVENILE DETENTION CENTER AND SUMMIT FOOD SERVICE, FOOD AND COMMISSARY SERVICE AGREEMENT FY2025 RENEWAL NO. 1 AND AMENDMENT; AND CANYON COUNTY JAIL AND SUMMIT FOOD SERVICE FOOD AND COMMISSARY SERVICE AGREEMENT FY2025 RENEWAL NO. 1 AND AMENDMENT

The Board met today at 2:32 p.m. to consider two action items: Southwest Idaho Juvenile Detention Center and Summit Food Service, Food and Commissary Service Agreement FY2025 Renewal No. 1 and Amendment; the Canyon County Jail and Summit Food Service Food and Commissary Service Agreement FY2025 Renewal No. 1 and Amendment. Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy PA Trent McRae, Juvenile Detention Center Director Sean Brown, Captain Harold Patchett, and Deputy Clerk Monica Reeves. Deputy PA McRae said the agreements look appropriate from Legal's point of view and he noted that this is the smallest increase in pricing available. Captain Patchett said the Sheriff's Office was anticipating a 10% increase and so they were happy to see a 5% increase instead. Upon the motion

of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign the Southwest Idaho Juvenile Detention Center and Summit Food Service, Food and Commissary Service Agreement FY2025 Renewal No. 1 and Amendment; and the Canyon County Jail and Summit Food Service Food and Commissary Service Agreement FY2025 Renewal No. 1 and Amendment. (Agreement Nos. 24-130 and 24-131.) The meeting concluded at 2:35 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 2, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Dawson Peters, GIS Analyst - Assessor's Reappraisal Department
- Jacqueline Beaumont – 4-H Program Coordinator, new hire
- Amber Lewter – Promotion to Associate Planner
- Robert P. Villegas – Deputy Judicial Marshal, rehire

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- W2W Flooring in the amount of \$7470.00 for the Facilities department (PO #6027)
- W2W Flooring in the amount of \$10,200 for the Facilities department (PO #6026)
- Platt in the amount of \$5580.63 for the Facilities department (PO #6028)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Grant's Grill to be used on 10/13/24 for the Freiburghaus wedding
- Salon Columbia Event Center LLC to be used on 10/12/24 for the Kelly wedding
- Liberty Lounge to be used on 10/25/24 for the Talor wedding
- Liberty Lounge to be used on 10/12/24 for the Kerwin wedding

DETAILED MINUTES TO COME AT A LATER TIME

Action Item: Consider Certificates of Noncompliance on the following Properties:

- 5833 Joe Ln, Nampa (R27957010)
- 13217 Sand Hollow Rd, Caldwell (R37383)
- 246 N Robinson, Nampa (R30590011)
- 2100 W Orchard Ave, Nampa (R31384010)

Action Item: Consider Final Plat for Hawk View Estates, Case No. SD2022-0038

PUBLIC HEARING – REQUEST BY GREG PAYNE FOR A CONDITIONAL REZONE FROM AN "A" (AGRICULTURAL) ZONE AND "C-1" (NEIGHBORHOOD COMMERCIAL) ZONE TO A "CR-C-2" (CONDITIONAL REZONE - SERVICE COMMERCIAL) ZONE, CASE NO. CR2022-0007

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by Greg Payne for a conditional rezone from an "A" (Agricultural) zone and a "C-1" (Neighborhood Commercial) Zone to a "CR-C-2" (Conditional Rezone - Service Commercial) Zone, Case No. CR2022-0007. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Dan Lister, DSD Planning Supervisor Carl Anderson, DSD Director Sabrina Minshall, Deputy PA Zach Wesley, Allan Mills, Greg Payne, Pamela Payne, Bill Werhane, Carl Anderson, Steve Miller, Holly King, and Deputy Clerk Monica Reeves.

Commissioner Van Beek disclosed that her family has been friends with the Paynes for years and their children attended school together, but that will not affect her ability to render an unbiased decision.

DSD Principal Planner Dan Lister gave the oral staff report. The request is to conditionally rezone a portion of the parcel from an Agricultural Zone and a Neighborhood Commercial Zone to a Conditional Rezone - Service Commercial Zone. A portion of the property is already zoned C-1 and the remainder is zoned Agriculture. The applicant's letter of intent states that due to farming being difficult in the area, traffic, school buses, and surrounding development, a commercial designation matches the City of Caldwell's future land use plan and the County's Comprehensive Plan and finds that the C-2 zone would provide more flexibility for the uses they want on the property. The 21.84-acre parcel is considered original, there are no structures on the parcel and it has been used in agriculture production. The applicant is requesting a development agreement with conditions prohibiting churches, clinics, hospitals, daycare facilities, mortuaries, crematoriums, and funeral homes, museums, public uses, quasi-public uses, radio, television, and broadcasting stations, schools, and vehicle fueling stations with convenience stores. Principal Planner Lister reviewed the eight (8) findings/criteria that have to be met, and he summarized the staff report analysis. The seven acres along Highway 44 were rezoned C-1 in 2011 as a blanket rezone. The average lot size within the vicinity is 2.71 acres, and the property consists of best suited to moderately suited soils and is considered prime farmland or farmland of statewide importance. There are 30 subdivisions located within a one-mile radius, and the average lot size is 1.73 acres. Future development will require a well and septic systems. Middleton city jurisdiction and services are located over 4,000 feet east of the subject parcel. The property is not located within a nitrate priority area. The parcel has surface water rights, and has frontage on Canyon Lane and Highway 44. Due to the variety of uses allowed in the C-2 zone, trip generation frequency varies dramatically and it is anticipated the rezone change will require a traffic impact study. Principal Planner Lister reviewed the agency and public comments that were received. The applicant did not provide a conceptual plan or a specific use, therefore, impacts on adequate service, surrounding use, character, access, traffic and essential services are unknown. The applicant requests the rezone be first approved and provide flexibility to work with the other

agencies prior to commencement of use. Based on existing commercial zones in the area, the transitional character of the area going to residential and some commercial, staff finds the C-1 zone is the most appropriate zone. Since 2011, only two parcels appear to be in commercial use since that time, the rest are either vacant or in residential use. The application does not address the potential uses on the site and how traffic would be handled, adequate services, or what it would do to the surrounding area to where a C.U.P. would be more appropriate when that use is being requested where those impacts could be well vetted. The P&Z Commission recommended denial of the case finding that the burden of proof is upon the applicant to prove that all criteria are satisfied without specific plan or mitigation measures that could adequately address potential impacts to the character, compatibility, services, traffic, and essential services there is not enough evidence to meet the criteria. Staff has provided draft FCO's based on the P&Z Commission's recommendation where in order to gain approval the applicant should consider rezoning to a C-1 zone. The uses they wish to have could go through the C.U.P. process. Following his staff report, Principal Planner Lister responded to questions from the Board regarding allowed public uses and quasi-public uses and zoning in the area.

Commissioner Van Beek disclosed that she had a conversation with Becky Crofts from the City of Middleton over a year ago regarding a storage unit request located between Star and Middleton. She said the City of Middleton was disappointed that the County had approved that application.

The following people testified in support of the request:

Alan Mills testified that they are attempting to create a home for commercial businesses which would be a boon for the tax base. The County has less than 1% commercial zoning and it's a complete imbalance. He spoke of the commercial businesses in the area that include a well drilling business, a concrete staging yard, and a machinery sales yard to name a few. The County has identified the Highway 44 corridor as future commercial and said if they have to be adjacent to C-2 zoning in order to get C-2 zoning there won't be any in the County because there is very little of it out there. The trend along the corridor is commercial, not residential. Mr. Mills said they contemplated rezoning 14 acres on South Hartley to C-2, but the City of Middleton said the property was too valuable for that type of use and the applicant agreed. Today there is a Maverik store being constructed on the property. Mr. Mills read a letter of support into the record from Mike Okamura, whose home is 100 yards from the subject property, and he stated he would prefer the property be zoned C-2 rather than see it turned into a housing development. The Western Alliance for Economic Development submitted a letter of support for the rezone to C-2 for commercial use citing the difficulties in attracting business and industry to properties that are not previously zoned. Industry is not interested in having to pursue the process or the cost on their own for commercial zoning. Mr. Mills said we cannot tell potential businesses they have to wait 2 ½ years for an answer. He gave examples of uses in the area and spoke about how when ITD widens Highway 44 it will wipe out an existing business and it would be nice for that business to have an option down the road in the same service area to relocate but he cannot afford to wait 2½ years to move his business if he has to move. He said there seems to be fear from staff and the P&Z Commission that something negative could go in on the property without a specific use being determined. There is no one who has more desire and interest in making this a nice

compatible and beneficial project than Mr. Payne and he fully understands that his value needs protected from undesirable conditions. They have limited the uses to remove some the possibilities of something negative and they offer the following solution to concerns: Mr. Payne will restrict the northern C-2 seven acres to ministorage, RV storage, and public and quasi-public uses only. This will buffer the rural residential properties to the north and use the landscape of trees and ditches above the Payne property. The seven acres that front Highway 44 will stay C-1, and the middle 7 acres will be zoned C-2 with the restrictions. Mr. Mills reviewed the uses that would be allowed and the ones that would not be allowed and stated the applicant will comply with all agency requirements. Following his testimony, Mr. Mills responded to questions from the Board.

Commissioner Brooks asked if the “7-7-7 plan” was proposed to the P&Z Commission. Mr. Mills said it was not. The applicant made the change after receiving feedback, and said they should have realized from the beginning that C-1 is entirely appropriate for that frontage on Highway 44. Those kinds of businesses want that signage, frontage, and exposure, but the type of businesses they are contemplating for the back are more of a destination business. Commissioner Brooks said the Board has established a policy of sending cases with substantial changes back to the P&Z Commission. Commissioner Holton agreed and said this is a game changer compared to having the C-2 zoning abut existing residential. He is concerned about the precedent it would set. Commissioner Van Beek sees both sides and spoke about the lag time and the zoning designation for the corridor along Highway 44. Commissioner Brooks said if the Board is going to remand an application that has a substantial change it should not enter into deliberation before it gets sent back to be evaluated for what the change is. Commissioner Van Beek asked staff if the Board could condition the application if it wanted to move forward with an approval? Principal Planner Lister said staff has not received this information so it has not been analyzed. The Board could table it and request staff to bring back information and do another noticing and then staff could review it based upon the new information, but what the Board has been consistently doing is remanding cases back to the P&Z Commission for recommendation on the new information. The Board could proceed and consider the case as-is and see if it wants to approve it and then have the applicant reapply. This has been in process since 2022 and remanding it back would require a new staff report and more noticing and those things are not covered under the cost of the permit. Deputy PA Zach Wesley said it’s a material change and staff has not had time to analyze the new plan. Commissioner Holton said he likes the material change, but he wants to make sure it’s handled correctly. Commissioner Brooks said he is not comfortable moving forward and he wants to remain consistent and send it back to the P&Z Commission so they can evaluate it with what’s been presented thus far. Deputy PA Wesley said the new procedure that the Board has been using has been built in the County’s ordinance; Article 1, Chapter 17 of the code that has these revamped provisions would allow the Board in a situation like this where there has been substantial additions, amendments, or modifications to the application to be remanded to the P&Z Commission or Hearing Examiner as the case may be. This is the sort of situation that that code was intended to be used for. Commissioner Holton would like the most expedient path forward for the applicant, and he doesn’t want to spend all of his P&Z resources on one application when the application morphs. He would like to remand it back to the P&Z Commission. Commissioner Brooks agreed and said at tomorrow’s workshop they can discuss the concerns about this process maybe needing

to be further evaluated so that applications do not get caught in a loop. Commissioner Van Beek said the City of Middleton and Canyon County need some of this zoning designation, and it is complicated further by the ordinance that was passed which does nothing to attract businesses. She likes the applicant's new idea for the "7-7-7 plan." There was discussion regarding staff's role in analyzing the new information, the notification process, and a potential hearing schedule. Commissioner Holton said they are lowering the intensity of use to C-1 in some areas and keeping the C-2 in the middle so he doesn't see a large change for the noticing. Commissioner Brooks said based on what the agencies have already provided he doesn't believe it's necessary to re-send a notice. He wants to know if the applicant's representative wants the Board to continue down this path or ignore what he just put on the record for his intent for the application. Mr. Mills said they want to do this correctly and as long as it can be done in a fairly expedient timeframe that would be acceptable.

(The Board took a recess from 2:26 to 2:35 p.m.)

Commissioner Holton said the Board wants to remand the case to the P&Z Commission because they did not have the opportunity to look at the C-1 zoning on the highway frontage, the C-2 zoning on the middle seven acres, and the C-1 zoning on the northern portion. Mr. Mills said that is acceptable as long as its expedited and they don't have to start over. DSD Planning Supervisor Carl Anderson said with an addendum to the staff report for the P&Z Commission with what has been received today and assuming they do not receive additional information between now and the potential P&Z Commission hearing which would also require analysis, he believes the second hearing could be on November 21. One agency notice in conjunction with the public hearing. That assumes staff is not receiving additional information than what was provided today. Principal Planner Lister referred to the late Exhibit #12 which is the amended request and the letters that Mr. Mills stated into the record. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to accept Exhibit #12 into the record. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to remand Case No. CR2022-0007 to the P&Z Commission with a date of November 21, 2024 provided the material change stated today is the only change. If there is additional information the hearing date cannot yet be projected. The hearing concluded at 2:41 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 3, 2024

APPROVED OCTOBER 4, 2024 PAYROLL

- The Board approved the October 4, 2024 payroll in the amount of \$2,273,516.35

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Plumbmaster in the amount of \$14,754.60 for the Facilities Department (PO #6144)
- Alexander Clark Printing in the amount of \$5,309.00 for the Treasurer's Office (PO #6117)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Makenna Doramus, Deputy Coroner
- Kelli Rogers, Misdemeanor Probation Officer
- Jesus Valdivia, Deputy Sheriff, new hire

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Grant's Grill to be used on 10/10/24 for the Murphy wedding

ADMINISTRATIVE MEMOS

COO Rast filed administrative memos on the following:

- FY25 Employee Appreciation Time Off (ATO)
- New revision to Sheriff's Employee Status Change form (Blue Sheet)

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with County Attorneys for a Legal Staff Update

- Action Item: Consider signing Notice of Intent to Award Contract for Employee Benefit Brokerage and Consulting Services RFP
- Action Item: Consider signing Administrative Services Agreement between GemPlan and Blue Cross of Idaho Health Service, Inc.

DSD General Business

Meeting to consider matters related to Indigent Services

- Action item: Consider approval/denial of indigent decisions and signing of liens

Executive Session pursuant to Idaho Code, Section 74-206 (1) (d) and (f), records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation

Discuss ADP Performance Management and Costs

Action Item: Consider Signing Two (2) Letters of Engagement with Langston and Associates

Action Item: Consider a resolution granting a new alcoholic beverage license to Post No. 18 The American Legion

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 4, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Smith's Lawnmower Sales in the amount of \$5521.00 for the Facilities department (PO #6145)

DETAILED MINTUES TO COME AT A LATER TIME

Consider County Clerk's Notice of Provisional Planning for Contingent Polling Locations

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 8, 2024

APPROVED CLAIMS

- The Board has approved claims 609851 to 609870 in the amount of \$18,382.53
- The Board has approved claims 609871 to 609895 in the amount of \$37,402.31
- The Board has approved claims 609896 to 609908 in the amount of \$32,931.33
- The Board has approved claim 609909 to 609932 in the amount of \$20,068.94
- The Board has approved claims 609933 to 609974 in the amount of \$100,039.66
- The Board has approved claims 609975 to 610009 in the amount of \$31,809.37
- The Board has approved claims 610010 to 610041 in the amount of \$92,390.22
- The Board has approved claims 610042 to 610064 in the amount of \$14,773.73
- The Board has approved claims 610065 to 610097 in the amount of \$20,535.50
- The Board has approved claims 610098 to 610108 in the amount of \$5,767.55
- The Board has approved claims 610109 to 610128 in the amount of \$34,478.09
- The Board has approved claims 610129 to 610166 in the amount of \$79,821.67
- The Board has approved claims 610167 to 610203 in the amount of \$59,708.75
- The Board has approved claims 610204 to 610239 in the amount of \$243,551.23

- The Board has approved claims 610260 to 610268 in the amount of \$29,656.00
- The Board has approved claims 610241 to 610259 in the amount of \$375,029.64
- The Board has approved claims 610269 to 610270 in the amount of \$84,657.81
- The Board has approved claims 610271 to 610307 in the amount of \$127,868.44
- The Board has approved claims 610308 to 610337 in the amount of \$182,992.56
- The Board has approved claim 610338 in the amount of \$515.09

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$45,428.81 for the Fleet department (PO #5959)
- Riverside in the amount of \$5799.00 for the Facilities department (PO #6118)
- Cellbrite in the amount of \$50,976.00 for the Sheriff's Office (PO #6100)

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with County Attorneys for a Legal Staff Update

- Action Item: Consider Independent Contractor Agreement for Court Appointment Counsel with Bethany Harder
- Action Item: Consider Legal Notice of Entering into Personal Services Contract with Ali Perkins, Jolene Maloney, Krista Howard, Joshua Taylor, Jeff Nielson, Bethany Harder, Rondee Blessing, Shawn Miller, and CK Quade Law
- Action Item: Consider Letter Regarding Facilities Services at the Ambulance District Building
- Action Item: Consider Memorandum of Understanding FY2024 Orthophotography Project for Ada and Canyon Counties
- Action Item: Consider Resolution Approving Employee Appreciation Time

Public hearing for budgeting of unscheduled revenue, grants or donations from federal, state or local governments or private sources and budget adjustments pursuant to Idaho Code §31-1605 for Fiscal Year 2024

- Action Item: Consider Resolution adjusting the fiscal year 2024 budget pursuant to Idaho Code § 31-1605

Action Item: Consider Approving Fiscal Year 2024 Operating Transfers and Reimbursements Supporting Documents:

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 9, 2024

APPROVED CLAIM

- The Board has approved claim 610340 in the amount of \$580.00

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 10, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Fairbank Equipment in the amount of \$29,737.04 for the Facilities Department (PO #6119)
- Uline.com - Online in the amount of \$11,559.18 for the Facilities Department (PO #6120)
- Idera in the amount of \$9,932 for the Information Technology Department (PO #6084)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Kenny Jack, Program Analyst II
- Beaudy Harrington, Program Analyst I
- Katie Bronson, Victim/Witness Services Coordinator
- Bethany Cox, Clerk II
- Heidi Rodriguez, Clerk II
- Lauren Giuda, Clerk II (was previously underfilled)
- Fallon Smith, Clerk II
- Julieann Holm, Clerk III
- Kristina Estrada-Radke, Clerk III
- Matt Vermon, Applicator - Weed and Pest

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Danelion Brewery to be used on 11/2/24 for the country Roundabout Event
- Craft Lounge to be used on 10/20/24 for the Whiskey Release Event
- Craft Lounge to be used on 11/29/24 for the Christmas Market Event

DSD GENERAL BUSINESS MEETING

The Board met today at 10:33 a.m. for a DSD general business meeting. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Assistant Director Jay Gibbons, COO Greg Rast, Constituent Services Director Aaron Williams, and Deputy Clerk Monica Reeves. Last week there was discussion on the administrative land division provisions and staff showed examples of how sometimes administrative land divisions can be complicated. Assistant Director Gibbons spoke about the areas DSD staff is seeking direction: Is the Board ready to provide direction so staff can know how to proceed as far as a code amendment to improve the process and try to make it better, or is the preference to stay the course and see what happens? Where does the Board stand on widespread random divisions? Does it envision more orderly development and require clustering, or do we continue the current practice with the numbers that are currently available, or do we cut down on that? Do we continue with nonviable divisions as they are? Do we add the qualifiers to it? Do we seek alternatives with a purpose such as farm development rights which are similar to a one-time division in the outlying areas? Do we consider avenues to rectify administrative division issues in cases where years down the road and multiple owners down the road want to build a house, but it was illegally split, so they are not eligible for a building permit? There are avenues to try to make that happen but it's not well defined.

Commissioner Van Beek said nonviable splits are problematic because there is no definition, and she is inclined to remove it without defining it because it's subjective. The nonviable component causes landowners to present information that has to be interpreted by a governing body and it you can sway it either way, and we are continuing to see an increasing number of people try to apply for a nonviable split when years before it was perfectly fine to buy it even though it may have had rocks or certain soil conditions. She said that was another push by a former Board member to have the soil conservation district, who was opposed to that at the time, provide deep level comments, almost as a decisionmaker in the process. She would rather look at what the trends are then define something as subjective as what makes this nonviable. It wasn't defined, it wasn't well vetted, and it was a brainchild of a former Commissioner, and she doesn't know why we need it because we're going to be tasked with going through the process to decide which parcel qualifies as a nonviable parcel. Commissioner Brooks agreed and said if you look at the date when it was enacted it is the same date that the current comprehensive plan and an ordinance were jammed through. It was not as well thought out as it could have been, and he is in favor of looking at it and removing it. Commissioner Holton agrees and spoke about how landowners whose properties have an agricultural exemption should not be able to apply for a nonviable split unless they remove their ag exemption. It's a very simple thing to do and it puts the burden on the property owner of what they declare and what they want to do with their ground, not what the County wants to do with their ground. He said DSD has one determination of ground and the Assessor's Office can give another determination and that needs to stop. The other issue is the definition of an original parcel because it causes some consternation, and it would not take much editing to make that definition defensible and more clearly defined. He wants to understand what the designers were thinking in 1979 when they enacted original parcels so we can stay within the scope. There are huge foundational issues that have a trickling effect, and he hates that a prior Board enacted ordinances that do not have clear definitions.

There was discussion about using the Assessor's ProVal software to research property history, and the desire to have the public be able to research the ordinances to determine what they can do with their ground.

Assistant Director Gibbons said we would have been better off to go back to the 2005 code that had nonviable splits and a list of criteria that should be considered, but they didn't do that, they chose to give another administrative split option. Commissioner Van Beek said that was not a Board decision, it was an individual Commissioner's decision which passed, and she wants the record to be clear. She agrees that an ordinance should not be convoluted and webbed and she should not have to reference 15 different places in the ordinance to try to make clarification. There are areas of conflict within our own ordinance that depending on which citing of the code you go to you could make an argument both ways. Regarding administrative land divisions, the approval of a division or a subdivision in rural Canyon County or an area of impact shall not constitute spot zoning and people use that all the time to say it's not spot zoning. We put a caveat in our own ordinance that people can argue on interpretation and it's subjective. Assistant Director Gibbons said we need to update many issues in the code, and they intend to bring forward the ones with the most priority followed by the more complicated ones and then the ones that need to change because of the comprehensive plan. Commissioner Van Beek said the idea that we can create additional administrative land divisions if we create a 5-acre parcel with a building permit while the other portion remains in agriculture in perpetuity becomes problematic for farmers and she doesn't see that as way to help preserve agriculture, and it probably creates unintended consequences when they become standalone pieces and are eventually sold. With regard to the Director's decision on some of the road reductions, we could make the argument that with growth in Canyon County any approval of those reductions that service multiple parcels that we may not know what the entitlements are at the end of that, we are shooting ourselves in the foot because those roads then become private roads that are never picked up by a highway district that are enclaves for surrounding city development. She wants good long-term planning but that doesn't mean she wants a lot of government restriction. When looking at the 1970 subdivisions they present as less than desirable today and if you have a subdivision in rural Canyon County outside of an area of impact and that area of impact has now moved there or has been annexed into the city, the differences between what we could waive as desirable city improvements like landscaping, sidewalks, curb, gutter, it doesn't look as good as if we had just said it will need to be built so that when the city gets there it doesn't look like an anomaly. Commissioner Holton said there is no parcel of ground within Canyon County that is agriculture in perpetuity, and we need to be clear that this Board feels uneasy about that because they have stated they are pro-agriculture and they want the preservation of farm ground but is there isn't an ordinance that gives the Board that authority and there are definitions that are called ag ground only because all viable building permits could have been transferred off the ground but anybody could buy it and ask for a rezone and subdivide it. There is no ordinance that protects the farm ground, and it could require legislative action to give the County that kind of authority because basically it's government choosing to lock up that ground forward as agriculture only. The legislature just passed a new bill that does it on a voluntary basis, but that bill also allows the same person who put it into protection the power to take it back out. He said it's one of our groups that championed that bill, but it's not perfect. The Board has no lawful means to keep a highly

productive piece of ag ground forever agriculture. Commissioner Van Beek said large scale diverse interest farmers are opposed to that kind of a measure. Commissioner Holton referenced an email that was sent to Commissioner Van Beek asking the Board to approve the 2030 comprehensive plan, but he is not aware of that work or that document and he finds it ironic because a group was against any changes to the 2030 comprehensive plan and now they're trying to get people to push an updated plan which he is unaware of. Commissioner Van Beek said the constituent who sent the email lives on Aura Vista in the Timberstone Subdivision which is property that was developed by a farmer named Dave Christensen. It's difficult ground to farm with a lot of topography which is why they determined that the highest and best use would be residential development. She said that property was heavily opposed by George Crookham, who now lives in the Timberstone Subdivision, and who approached the person (who sent the email) and gave them language. She objects to this kind of propaganda, and she spoke about how the CAF (The Coalition for Agriculture's Future) distributed flyers using the Canyon County seal without Canyon County approval. She is pro-ag but said if we want to preserve agriculture we might need to pay our growers higher prices for their commodities and we need to make it lucrative and make it so it's not subsidized. There is a problem with this, and people are uninformed on what the real dynamics are - to send her a request to approve a 2030 comp plan that passed two years ago clearly demonstrates there is a lack of complete information being conveyed to the public about what's really happening. She said there is a person in the community who states that locking up ground constitutes one of the greatest transfers of wealth that we would ever see. She referenced a land trading deal on a home in the Seattle area that was purchased for \$600,000 and was sold for \$1.8M and said the owners moved to the Timberstone development. Telling a seller that they are obligated to sell an asset for a certain price is not the America she is used to, and it represents socialism. We need to get all the information on the table and consider both sides, not just for a political action benefit by someone with a monopoly. Commissioner Holton said we need an updated ordinance to deal with the glaring shortcomings and he wants DSD to look at it and let the Board know if there are nuances that need further review as we prepare to have a draft ordinance go through the public input process. Commissioner Van Beek said the direction the Board is trying to give and the integrity it wants to represent to the public is in line with the Board's motto of *transparency, respect, unify, service, and teamwork*. She is fatigued with people providing misinformation to the public and making arguments that weaponize the political process. DSD staff will bring a draft back to make sure the Board is comfortable with the direction. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: APPEAL BY SHAWN MAYBON, REPRESENTING CORNELIUS AND ARLENE HOUWELING, REGARDING THE APPROVAL OF AD2024-0027, A LAND DIVISION CREATING AN AGRICULTURAL PARCEL ON PARCEL R28390

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of an appeal by Shawn Maybon, representing Cornelius and Arlene Houweling, regarding the approval of Case No. AD2024-0027, a land division creating an agricultural parcel on Parcel R28390 (19.52 acres).

Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Dan Lister, DSD Assistant Director Jay Gibbons, Deputy PA Zach Wesley, other interested persons, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley believes we have an immediate resolution for this matter because a stipulation has been signed by the appellants and the applicant. The attorney for the appellant sent a request for mediation and as Deputy PA Wesley was responding to that it seemed that all parties were on the same page as far as a resolution and so they put an agreement together to have this case go back to the DSD Director. The private road name change and the easement reduction which were done initially were not required for the administrative division application. The appellants were primarily opposed to the name change and easement reduction and the applicant was primarily interested making sure the land use division went forward. The proposal is to remand it back to the Director to issue a new decision vacating the road name change and easement reduction and then processing the application again for the applicant's administrative land division. Commissioner Van Beek said there appear to be questions regarding the actual ownership of the one-acre parcel that provides access. Principal Planner Lister said initially it was an appeal of the land division, the private road, and the easement and the concerns about legal access came through, but the amendment from the appellant is more about the private road change or an easement reduction at this moment. The division that was taken is to create an agricultural parcel which doesn't create an entitlement for that parcel so it doesn't expand or extend the nonconforming shared access. If we remand it back it allows the owner to work out if they ever want to build another dwelling then they can work through the private road and easement process at that time, not during a process that doesn't require it at this point. Commissioner Van Beek said the intent is to sell a parcel, but nothing that prohibits them from rezoning to rural residential. All administrative splits have been taken on this parcel and now this is allowed to provide for an additional split with the provision that it's ag only with a minimum of five acres. The Board is wrestling with some of the potential unintended consequences from the 2030 comprehensive plan which continue to create additional divisions in rural areas of the County and if we are talking about not fragmenting agricultural ground, the 5-acre parcel cutups are not functioning in the real realm for people with any serious agricultural intent. Planner Lister said the code allowed 40-acre agricultural only sizes to be divided without going through any process and during that change to our land division changes we have added that five acres or greater as long as it's ag only does not count towards the divisions you are asking for through that land division. It gave an extra way to make a parcel out of it and that's what was adopted in 2022. It will be discussed as we update the comprehensive plan and the ordinance. Commissioner Brooks said we have a signed agreement between the two parties. Commissioner Holton said at the rate we are cutting ourselves off one division at a time we are going to burn through our ground and until the public can understand the realm that we find ourselves in the Board needs to follow the ordinances. We need to honor that the parties have an agreement to remand it back to the Director. He then made a motion to vacate the land use hearing denial and honor the agreement between the parties and remand the matter back to the DSD Director. The motion was seconded by Commissioner Van Beek for discussion. She asked staff how many parcels there can be before it trips a subdivision requirement? Planner Lister said the code says five acres or greater from an original parcel requires platting. The motion carried unanimously. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 1:43 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER ACTION ITEMS: CONSIDER RESOLUTION TO ADOPT JOB DESCRIPTIONS AND TITLE CHANGES IN INFORMATION TECHNOLOGY, AND A RESOLUTION TO ADOPT JOB DESCRIPTIONS AND TITLE CHANGES IN SHERIFF'S EMERGENCY TECHNICAL SERVICES

The Board met today at 4:00 p.m. to consider a resolution to adopt job descriptions and title changes in Information Technology, and a resolution to adopt job descriptions and title changes in the Sheriff's Emergency Technical Services. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Captain Ray Talbot, HR Director Marty Danner, HR Business Partner Jennifer Allen, HR Business Partner Cindy Lorta, IT Business Manager Caiti Pendell, and Deputy Clerk Monica Reeves.

The IT resolution was reviewed and summarized by COO Rast as follows:

- To approve changes to the **job title of five (5) positions** in the Information Technology Department
- To approve changes to the **job title and salary grade of two (2) positions** in the Information Technology Department
- To approve changes to the **job title, salary grade and FLSA status of one (1) position** in the Information Technology Department
- To approve changes to the **FLSA status of four (4) positions** in the Information Technology Department
- To approve changes to the **job title and FLSA status of two (2) positions** in the Information Technology Department

Job Title Changes

One (1), Computer Network Technician, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 823, FLSA non-exempt

To

One (1), Desktop Support Specialist, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 823, FLSA non-exempt

No fiscal impact with this change

One (1) Computer Network Technician, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 832, FLSA non-exempt

To

One (1), Desktop Support Specialist, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 832, FLSA non-exempt

No fiscal impact with this change

One (1), Computer Network Technician, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 834, FLSA non-exempt

To

One (1), Desktop Support Specialist, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 834, FLSA non-exempt
No fiscal impact with this change

One (1) Receptionist, salary grade 11, min. \$18.00, mid. \$21.73, max. \$25.46, position control number 16 237 833, FLSA non-exempt

To

One (1) Administrative Specialist, salary grade 11, min. \$18.00, mid. \$21.73, max. \$25.46, position control number 16 237 833, FLSA non-exempt

No fiscal impact with this change

One (1) Sr. Administrative Support Specialist, salary grade 12, min. \$21.54, mid. \$26.02, max. \$30.50, position control number 16 237 755, FLSA non-exempt

To

One (1) Sr. Administrative Specialist, salary grade 12, min. \$21.54, mid. \$26.02, max. \$30.50, position control number 16 237 755, FLSA non-exempt

No fiscal impact with this change

Job Title and Salary Grade Changes

One (1) IT Business Analyst, salary grade 15, min. \$34.85, mid. \$41.47, max. \$48.09, position control number 16 237 822, FLSA exempt

To

One (1) Project Manager, salary grade 16, min. \$41.01, mid. \$48.80, max. \$56.58, position control number 16 237 822, FLSA exempt

Annual fiscal impact of \$2,400.58 with this change

One (1) Administrative Support Specialist, salary grade 11, min. \$18.00, mid. \$21.73, max. \$25.46, position control number 16 237 473, FLSA non-exempt

To

One (1) Sr. Finance Specialist, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 473, FLSA non-exempt

Annual fiscal impact of \$6,884.80 with this change. COO Rast said An employee recently retired from a high-end position and there will be savings on the backfill of that position, and for FY2025 there will be probably not be an Assistant IT Director. There are currently seven (7) vacancies in IT.

Job Title, Salary Grade and FLSA Change

One (1) Application Support Analyst I, salary grade 14, min. \$29.73, mid. \$35.38, max. \$41.02, position control number 16 237 827, FLSA exempt

To

One (1) Sr. Finance Specialist, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 827, FLSA non-exempt

No fiscal impact with this change

FLSA Status Changes

One (1) Systems Administrator I, salary grade 14, min. \$29.73, mid. \$35.38, max. \$41.02, position control number 16 237 857, FLSA exempt

To

One (1) Systems Administrator I, salary grade 14, min. \$29.73, mid. \$35.38, max. \$41.02, position control number 16 237 857, FLSA non-exempt

No fiscal impact with this change

One (1) Systems Administrator I, salary grade 14, min. \$29.73, mid. \$35.38, max. \$41.02, position control number 16 237 852, FLSA exempt

To

One (1) Systems Administrator I, salary grade 14, min. \$29.73, mid. \$35.38, max. \$41.02, position control number 16 237 852, FLSA non-exempt

No fiscal impact with this change

One (1) Systems Administrator I, salary grade 14, min. \$29.73, mid. \$35.38, max. \$41.02, position control number 16 237 360, FLSA exempt

To

One (1) Systems Administrator I, salary grade 14, min. \$29.73, mid. \$35.38, max. \$41.02, position control number 16 237 360, FLSA non-exempt

No fiscal impact with this change

One (1) Systems Administrator II, salary grade 15, min. \$34.85, mid. \$41.47, max. \$48.09, position control number 16 237 851, FLSA exempt

To

One (1) Systems Administrator II, salary grade 15, min. \$34.85, mid. \$41.47, max. \$48.09, position control number 16 237 851, FLSA non-exempt

No fiscal impact with this change

Job Title and FLSA Status Changes

One (1) Security Systems Administrator, salary grade 15, min. \$34.85, mid. \$41.47, max. \$48.09, position control number 16 237 998, FLSA exempt

To

One (1) Systems Administrator II, salary grade 15, min. \$34.85, mid. \$41.47, max. \$48.09, position control number 16 237 998, FLSA non-exempt

No fiscal impact with this change

One (1) DevOps Team Lead, salary grade 16, min. \$41.01, mid. \$48.80, max. \$56.58, position control number 16 237 831, FLSA exempt

To

On (1) Systems Administrator III, salary grade 16, min. \$41.01, mid. \$48.80, max \$56.58, position control number 16 237 831, FLSA non-exempt

No fiscal impact with this change

Captain Talbot summarized the resolution to approve the changes to the **job title, job description and salary grade of two (2) positions** in the Sheriff's Office as follows:

One (1), GIS Manager, salary grade 15, position control number 003 390 940, FLSA non-exempt
To

One (1), Systems Administrator II, salary grade 15, position control number 003 390 940, FLSA non-exempt

And

One (1), Spillman Application Analyst, salary grade 14, position control number 003 410 942, FLSA non-exempt

To

One (1), Desktop Support Specialist, salary grade 13, position control number 003 410 942, FLSA non-exempt

Captain Talbot said their GIS Manager left and they found they were replicating things already being performed through IT and so it was much more efficient for the Sheriff's Office to get rid of the GIS Manager position and move to a Systems Administrator II position. As the Sheriff's Office has moved toward technology they have been a drain on the resources of IT which is why they initially developed their own ETS section and by adding a Systems Administrator II it will allow them to be more self-sufficient so that IT can continue to support the rest of the County. The position will be a paygrade 15 so there is no financial impact but there will be a significant benefit for the services provided. They want to change the Spillman Application Analyst position which is a grade 14 to a Desktop Support Specialist with a paygrade of 13.

Commissioner Van Beek said the total impact is \$9,285.38 and she is in favor of it. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve a resolution to adopt job descriptions and title changes in Information Technology, and the resolution to adopt job descriptions and title changes in the Sheriff's Emergency Technical Services as presented. (Resolution Nos. 24-190 and 24-191.) The meeting concluded at 4:15 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 11, 2024

There were no meetings held this day.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 15, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Aspen Engineers in the amount of \$20,000.00 for the Facilities Department (PO #6123)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Dalton Kelley, Deputy Prosecuting Attorney II - Criminal
- Alexander Gourley, Deputy Prosecuting Attorney II - Criminal

DETAILED MINUTES TO FOLLOW

Meet with County Attorneys for a legal staff update and consider action items:

- JobScore renewal order
- Independent Contractor Hearing Examiner Agreements with Leon Letson and Ashley Squyers

DSD GENERAL BUSINESS

The Board met today at 10:32 a.m. for a DSD general business meeting. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, Constituent Services Director Aaron Williams, DSD Assistant Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, Deputy PA Trent McRae, and Deputy Clerk Monica Reeves. There was discussion on the draft Agriculture Preservation Ordinance. Director Minshall said the state law related to the agricultural preservation area is very prescriptive in terms of what must be in the ordinance and the resolution establishing a commission both of which have to be done by the end of the year, and in order to meet that deadline, staff will need either approval to move the draft forward through the hearing process or any specific changes the Board wants versus later as it goes through the public hearing process. There is a short window to meet the advertising requirements for the P&Z Commission meetings.

There was review and discussion of the draft ordinance sections as follows:

Purpose: Commissioner Van Beek asked how the Board would draft an ordinance that would cover all farming practices and the best practices for a County with the diversity we have. She wants to strike that language because good farmers know best farming practices and she does not want to determine who is and who isn't employing best farming practices. Director Minshall said the language is straight from state law and it's up to Legal on whether that needs to be in the

ordinance itself. Commissioner Brook said it's overly vague that we are trying to encourage farmers to engage in best farming practices.

Support the local agricultural economy: Commissioner Van Beek said the best way to keep agricultural interests in our economy is to have them be profitable, and maybe the people who lease ground need to pay more, or those who buy commodities need to pay more. If you are operating for profit how do we support the local agricultural economy outside of paying growers and landholders more for a valuable asset. She wants to strike the language that says encourage best farming practices because anybody in private enterprise will try to do their best to be profitable to support the local ag economy. If we are going to make special exemptions for the local ag economy, why not make special exemptions for everything else that's an essential service? Commissioner Holton agrees. Commissioner Van Beek said we need farmers represented; we have government people trying to make decisions on an industry where they are not clearly represented and not by a PAC or a person who wants to acquire ground for cheap rates. Director Minshall said one option is to list that our purpose is to comply and not restate what the legislature said is their purpose. We could strike the language and state the purpose is to comply with the requirements. Commissioner Holton said land applications need to be done by the landowner not agricultural producers. Commissioner Van Beek agrees.

There was discussion regarding language related to: a parcel size being designated five (5) contiguous acres, and how with this legislation there is potential to create enclaves in the city areas of impact; forest production; APA Commission recommendation on land use decisions; and the option remand the case if there is a material change.

The Board continued its review of the following ordinance sections:

- Section 4 - Land utilized for grazing, etc.: Commissioner Van Beek is concerned it will impact families that have hobby farms and/or 4-H animals.
- Center pivot irrigated crops: There is conflict with this because the way the current comprehensive plan is written it exempts corners because they are not actively farmed, the pivot does not hit those.
- Commissioner Brooks wants to see which part of the draft ordinance is state law and which part does the Board get to amend. Director Minshall said she can highlight those; the last conversation we had with the PA's Office is when they walked through what we are required to do. It can be discussed with Legal again.
- There was discussion on how to implement the ordinance.
- Section 8 regarding ownership. There is concern with just rolling something on for another 20 years.
- Discussion about the automatic renewal of the APA Commission.
- Definition of undue hardship.

Director Minshall summarized the Board's preferences as follows:

- Change the intent language to state that it is to meet the state law.
- Delete language about forest production since it's not applicable to Canyon County
- Add language around the APA Commission actions and BOCC actions, and that the BOCC can remand back to the APA Commission
- The APA recommendation must be in the form of written FCOs so that if for some reason the Board doesn't take it up we have written FCOs
- Add into the termination language that the County must notify the property owner. Staff will look at the timelines prior to the 90 days of information regarding their intent so that comes back to the County.
- Highlight what is specifically required by state law on the ordinance versus where the Board has latitude.

Director Minshall will review the items with Legal and provide a new draft for review. In order to be in compliance with state law the ordinance and the resolution establishing the APA Commissioner have to be adopted by the end of the year and the only way to get this back to the Board by the week of December 16 for action, is to get it before the P&Z Commission on November 17, and to do that we have to publish the summary by Friday. The Board concurs with meeting the Friday deadline. Commissioner Holton informed Director Minshall that the Board is supportive of the new land use hearing script. The meeting concluded at 11:45 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO FOLLOW

ALCOHOLIC BEVERAGE LICENSES FOR:

- Sunnyslope Market (New License)
- El Camino (Transfer License)

MEETING WITH HR DIRECTOR TO DISCUSS GENERAL ISSUES, SET POLICY, AND GIVE DIRECTION

CONSIDER RESOLUTION TO CHANGE ONE POSITION CONTROL NUMBER LEVEL IN THE PROSECUTING ATTORNEY'S OFFICE - CRIMINAL DIVISION

The Board met today at 4:04 p.m. to consider a resolution to change one position control number level in the Prosecuting Attorney's Office - Criminal Division. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Criminal PA Doug Robertson, PA Office Manager Melinda Longoria, HR Director Marty Danner, HR Business Partner Demi Etheridge, Chris Boyd, the Republican Candidate for Prosecutor, and Deputy Clerk Monica Reeves. HR Director Danner said the resolution moves one PCN to a Deputy Prosecuting Attorney (DPA) I to a DPA II, and to promote

a DPA I to an open vacant funded DPA II. Mr. Boyd said Prosecutor Taylor had previously presented a package for consideration but the Board wanted to wait until January of 2025, but there are a couple of people Mr. Boyd does not want to lose so he is making the request now. He plans to come before the Board in January with some of the same raises that were already proposed. Chief Criminal Deputy PA Robertson said back in March when the adjustments were done, one of the employees was at 1.9 years of qualifying years' experience and is now at 2.5 years of qualifying experience. The other employee has reached the 2-year mark and qualifies for a promotion. Both are excellent employees and the PA's Office does not want to lose them. COO Rast said they money for the adjustments was put into the general reserve account and it will take a 3-0 vote to pull from the reserve account into the PA's office. Commissioner Holton said it's important to note that this isn't new, it was anticipated and we have the money set aside for it. Commissioner Van Beek thanked Mr. Boyd for attending today's meeting and said she was glad to have the support and collaboration with the criminal division. There has been a lot of movement on the classifications, bar dates, hours, and years and she is looking forward to potentially looking at that in a different light in FY2025. Mr. Boyd said the Board can expect those discussions the middle of next year. Commissioner Van Beek said it's important that there is rubric that is clear and defensible. Commissioner Brooks supports the request and said the Board set money aside for Mr. Boyd to come in and do what he thought was best for the office and he is here with a paper trail asking for the two changes. He then made a motion to approve and sign the resolution to change one position control number level in the Prosecuting Attorney's Office - Criminal Division from a Deputy Prosecuting Attorney I to a Deputy Prosecuting Attorney II. The motion was seconded by Commissioner Van Beek and carried unanimously. (Resolution No. 24-194.) The Board signed the two employee status change forms that were presented by HR. The meeting concluded at 4:13 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 16, 2024

Executive Session pursuant to Idaho Code, Section 74-206 (1) (d) and (f), records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 17, 2024

DETAILED MINUTES TO FOLLOW:

Meeting with County Attorneys for a Legal Staff Update

- Action Item: Consider Agreement Between Ada County and Southwest Idaho Juvenile Detention Center and the Idaho State Department of Juvenile Corrections for FY2025
- Action Item: Consider Gem County Juvenile Detention Housing Agreement
- Action Item: Consider Architecture and Engineering Professional Services Contract with RBA Architects, LLC

DSD GENERAL BUSINESS

PUBLIC HEARING: APPEAL BY AMY MALLARD OF THE DIRECTOR'S DECISION TO APPROVE A REQUEST BY IDAHO POWER TO ESTABLISH A NEW ELECTRICAL SUBSTATION, CASE NO. AD2024-0046-APL

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of an appeal by Amy Mallard of the July 23, 2024 Director's Decision in Case No. AD2024-0046 which approved a request by Idaho Power to establish a new electrical substation at the northeast corner of the intersection of Top Road and Lower Pleasant Ridge Road on a 2.65-acre portion of parcel R36328. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Debbie Root, Amy Mallard, Erica Ahlvers, Linda Mims, JuliAnne Conrad, Velma Smith, Dennis Zattiero, Gordon Hill, Teresa Kritzer Daniel Hyer, Jeff Maffuccio, Angelique Rood, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Holton disclosed that he served on the Idaho Power advisory board that gives direction to Idaho Power's siting of substations and he did this as a volunteer as a Canyon County Commissioner. There were other county commissioners, city staff, and public service representatives who also served. The area was north of Weiser to the west to Ontario, to the east near Can-Ada Road, and to the south of Melba. It was a large area, and it was not specific to a parcel of ground. The subject parcel had been brought as an advisory to the City of Greenleaf for a 20-house subdivision and the city advised them "not now" and said perhaps there would be a different use for the property. He has not been involved with the property owner or Idaho Power in any way, indirectly or directly, about the parcel called out for this substation. He does not see any specific reason he would have to recuse himself from today's hearing. There is no conflict for personal gain whether directly or indirectly off of this decision for him personally.

Amy Mallard testified that she is disappointed in the process because she feels like this proposal was sprung on the homeowners who were given two weeks from the date of the initial letter of notification to oppose it. The neighbors overwhelming were opposed to the request and they filed that with the DSD Director. Two weeks after the Director's decision they were given two weeks to submit an appeal, forcing the homeowner to pay for the appeal, and as a homeowner trying to defend her property she does not believe it should fall on her to front the money for that. She submitted a letter with her original appeal and raised the points of why she was opposed to the

proposal. She also submitted an environmental impact of substations that was published by the Public Service Commission in Wisconsin because she could not find anything in Idaho and she wanted a to make sure it came from a government site. Permanent construction impacts of a substation include long-lasting impacts, including changes in habitat laws, changes to local aesthetics, viewsheds, noise, and lighting. Anyone within 300 feet will hear noise from the substation. Some neighbors live directly across the street from the proposed use and the edge of her property is 300 feet while her parents' property is within 200 feet. In the Director's decision it was stated that the proposed use would not change the character of the area, but there was no proof of that given other than to state Idaho Power would place a concrete wall around the utility. The transformer will extend well beyond the height of the concrete wall and the post may extend up to 70 feet. It will change the look of an agricultural area to an industrial area. There are properties for sale near the site and on Simplot Blvd., in an industrial area where no homes are located. There is also a property for sale one mile east on Lower Pleasant Ridge Road consisting of 27-52 acres. She believes there are more opportunities to purchase property somewhere else that would not affect homeowners. Ms. Mallard said the Director's decision concluded that the proposed use would not be harmful to properties in the immediate vicinity, but having sold real estate she is aware of the negative impact the proposed use will have. She purchased her property four years ago as a long-term investment and is concerned about the negative impacts to property values due to the stigma associated with substations and high voltage lines. Many people believe it is harmful so it doesn't matter what studies show, the stigma is there, and it may force people to rent their properties if they are not able to sell them. Nobody wants to live next to high voltage long term because of the unknown so when it says unsubstantiated, it doesn't mean it's not a problem it just means there is no conclusive evidence. If Idaho Power is constructing a substation for the needs of future building that should fall on the area where the building is going to occur because those homeowners are then knowingly purchasing there. Idaho Power representatives have stated that property values will be affected.

Erica Ahlvers, whose property line abuts the subject parcel, testified about her concerns with safety and the stigma attached to substations. In the event of a catastrophic failure such as an explosion of the facility, the concrete walls are not going to keep nearby properties safe. She also has concerns about the negative impacts on property values. Title 61 of Public Utility Regulations states the powers and duties of the public utilities commission is to promote the public interest so it should support the desires, values, and needs of the surrounding community; however, placing a substation at this location does not do that. Ms. Ahlvers said there are multiple lots for sale on Simplot Blvd., that are in an industrial location which would better suit what is needed.

DSD Principal Planner Deb Root gave the oral staff report stating that Amy Mallard's appeal of Idaho Power's request to construct a utility facility on a 2.65-acre parcel on the northeast corner of the intersection of Top Road and Lower Pleasant Ridge Road is based on the following concerns:

- Not located a safe distance from existing residences due to electromagnetic fields (EMF) emissions
- Effects on property values and the ability to sell their properties
- Noise from the facility

- Disruption of the scenic agricultural landscape

The subject property was part of a 24-acre parcel, and it is currently in agricultural production. The surrounding land uses are ag-residential and agriculture. The City of Greenleaf is located a ¼ mile to the northwest on Top Road, and to the west of Top Road there is a large-lot residential development, Locust Hills Estates. There are sporadic small residential clusters to the north and east of the proposed project with the nearest home being more than 200 feet from the parcel. The property is bordered on two sides by public roads and there is an existing Idaho Power transmission line along the south boundary of the property. The County's future land use designation for this property is residential and a utility facility is permitted by the Director's decision in the residential zones. The City of Greenleaf's future land use designation for the subject property is agriculture and low-density residential. The applicant indicates that the facility is intended to improve services to the Greenleaf area and has provided information regarding the EMF health concerns. The utility facility as proposed will not increase traffic, noise, dust, nor is it anticipated to impact essential services. The proposed facility is compatible with existing rural residential and agricultural uses in the area. Staff concluded that the proposed use will not be injurious to property in the immediate vicinity, nor will it negatively change the essential character of the area. There are substations located throughout the County in varying locations, some are not surrounded by anything, and some are frequently surrounded by small lot residential properties. Property owners within 600 feet of the subject property were notified of the request by Idaho Power and were provided opportunity to comment on June 11, 2024. Staff received three letters of opposition and an opposition petition signed by 37 people during the comment period. The opposition cited loss of agricultural farmland, disruption of current scenic views, potential for lowered property values, industrial development in an agricultural and residential area, and health concerns regarding electromagnetic fields. The Director's decision for a utility facility was approved with conditions on July 23, 2024. The appeal of the Director's decision was filed on August 9, 2024. Following her report, Principal Planner Root responded to questions from the Board.

Testimony in favor of the Maggard appeal resumed as follows:

Linda Mims lives directly across the street from the proposed site. She attended the Idaho Power meeting in Greenleaf and asked why they didn't select an industrial location as there are plenty of industrial spots that do not have houses across the street. She had her place surveyed to do a possible split off an acre so she could help secure her financial future but believes no one would want to build a house on that acre due to its close proximity to the substation. When she asked the Idaho Power representative why they didn't check with the neighbors about their plans she said they said it was their mistake, they should have.

JuliAnne Conrad testified that she and her husband oppose the proposed use. They have lived in Greenleaf for seven years and are concerned about the value of their home and their ability to retire, or resell, or keep their property long-term for their family. They are also worried about the noise the substation will generate. People have posted about having health issues while living next to these substations and when they move away their health issues clear – it is very suspicious.

She enjoys the agricultural aspect and the rural countryside, but the substation will diminish that homestyle farm town value that Greenleaf is known for.

Velma Smith lives across the street from the proposed site and she agrees with testimony that has been given so far. Her husband has a pacemaker and is not supposed to stand in front a microwave when it's on and so they are very concerned about what the substation will do to his health. Property values are a concern as well.

Dennis Zattiero agrees with the testimony so far and said he is very concerned about the EMF or EMI radiation from the site. He is an amateur radio operator and said the proposed use will generate more noise and will pollute the neighborhood with radiation that will affect television reception for people who are in the line of sight, and he believes it will be determinantal to the neighborhood, community, and lifestyle, as well as negatively impact property values. If there are other opportunities to put this in an industrial area that's more appropriate or if there are properties for sale, why wouldn't we consider that? He is a small farmer, and water runs across his property to where the substation will go, and he already has an issue with water backing up onto his hayfield making it nonfarmable. He asked Idaho Power representatives how they will not continue to negatively impact his land, and they said they did not know anything about it and did not seem to have a plan to go forward. The proposed use is not well thought out.

Gordon Hill testified that his father purchased the property now known as Locust Hill Estates in 1971, and he purchased his land from his father in the 1980's and has lived there since. He understands growth is inevitable, but this is not the right place for the substation because it is not zoned for light industrial or commercial. He feels bad for those whose views will be impacted and he is offended by the Director's comments that it will not aesthetically change the character of the properties. He agrees that a substation is needed, but not at this location.

Teresa Kritzker testified that she and her husband moved to Greenleaf a few years ago and their property touches the site. There are two irrigation ditches that run through there that the Kritzkers get their water from; one is a runoff and the other is up top. They are on well water and her concern is if the subject property stops being irrigated and it could impede her irrigation water. She is also concerned about the potential for fire hazards, health risks, noise pollution, and impacts to the view from her property. Had she known a substation would be located there she would not have purchased her property and if it is constructed she will move. Ms. Kritzker has been a loan officer for 20 years and this substation will affect property values. She supports growth; however, the placement is terrible. The roads are not built to handle the traffic that will come from the newly approved subdivision so those who cannot access Simplot Blvd., will take a back road and come down the narrow Top Road. The neighbors will be impacted by additional traffic and the substation. The neighbors should not have to sacrifice their value because this is a cheaper solution for Idaho Power. There need is there, but it's not a good location.

Testimony in opposition to the appeal/support of Idaho Power:

Angelique Rood, a regional manager for Idaho Power, testified that the reliability project will help the company continue to provide reliable energy to the area. One misnomer is that this is simply all for future growth, and we have seen substantial growth but for additional infrastructure in the area they expect to begin seeing reliability concerns in the Greenleaf areas as early as January 2028. She is very sympathetic to the neighbors and communities - nobody wants infrastructure sited in their neighborhood. The location selection was largely based upon where they need to serve customers and in this case they selected this location for the organic growth around the substation to avoid needing to build additional overhead structures to serve the area and that really comes down to cost. It costs about \$1 million per mile to build overhead transition and about \$750,000 per mile to build overhead distribution and so siting these substations for growth is important to avoid those additional costs that would eventually be passed down to the ratepayers. Idaho Power currently operates 251 substations within their service territory and can do so very safely. The substations and stepdown transformers are necessary to feed the businesses and homes in the area. The community is currently served from three separate substations; one in Caldwell, one in Homedale, and one in Houston and growth in those areas has caused a constraint on the grid in the Greenleaf area and locating the substation here makes sense for the local growth. In 2014 they had 129 meters in the 83626 zip code and in the last 10 years they have seen 129 new meters.

Jeff Maffuccio testified that in 2011 and 2023 the community committees, with their western Treasure Valley electrical plan, looked at opportunities for Idaho Power to consider where a Greenleaf substation could be sited. The drivers of that included the Canyon County and the City of Greenleaf comprehensive plans as well as Greenleaf's future land use map which shows Lower Pleasant Ridge Road as a utility corridor, and those comprehensive plans suggest facilities be located along the utility corridor. In 2018 they identified the need for a Greenleaf substation but the growth had slowed a bit so they put it off, but in 2023 they picked back up and they looked at the entire area starting at Lower Pleasant Ridge Road and working through the Greenleaf area and they approached eight (8) different landowners and struck out 7 times whether the landowners wanted to develop in their own way, or did not want to sell a smaller parcel, or they had their own reasons, so Idaho Power went back to the landowner they ultimately purchased from and through the DSD process they were able to get the public utility land division which allows for the 2.65 acres. He said there is plenty of room to set this back further from homes. In hearing the neighbors' concerns they worked with staff on recommendations for precast concrete walls that can be colored and textured and with different tree and shrub options. The walls are 8 feet tall and the vegetation is 12-16 feet and they can work within the acreage to site the substation which is one-acre in size. There are no habitable buildings and no non-emergency lighting. The tallest structure is about 50-feet tall which will come off the transmissions structures which are 70-feet tall and that includes the distribution lines underneath. Mr. Maffuccio spoke about the measurements of EMFs which will be equivalent to a small appliance such as a television; noise measurements are comparable to 37 decibels in a quite rural setting or a bedroom at night with no fans running. There is still more work to do in the development design and working with the associated agencies, the County, and the neighbors with respect to screening efforts, and working to resolve any issues if there is a lateral nearby. With regard to setbacks, if it was placed in the center of the property it would be about 50 feet on all sides, and they can push back 75 feet from

the roads, and 25 feet on the back. Along the outside of the substation they do 10 feet of gravel for a safety and firebreak barrier with a chain-link fence and concrete walls. They have a 2-year design frame to start construction in the beginning of 2027 and they want flexibility to move things. Commissioner Van Beek asked why can't there be a location in an industrial area that is located on an industrial corridor like Highway 19. Mr. Maffuccio said they looked at properties along Highway 19 in the Greenleaf general area, but if they go further east on Hwy. 19 towards some of the other industrial areas the challenge becomes the cost to build transmission at \$1 million per mile to the east and to build the distribution line to the west. It becomes a balance of the flow of electricity so they were trying to site within the specific area. Commissioner Holton asked about the viability of the other sites they looked at. Mr. Maffuccio said started at the southwest corner at Friends Road and Lower Pleasant Ridge Road and that owner wanted Idaho Power to buy the entire field. Other sellers to the north either had plans for their property or they did not want to split it up. The seller they purchased from came back to them in 2024 and was interested in selling a small portion of their parcel. Idaho Power needed to find a small suitable parcel, rather than a large acreage they where they may have to sell at a loss or hold it. Follow-up discussion ensued.

Angelique Rood said the company has to keep in mind the amount of oil they have in transformers, so sometimes near an exact waterway or canal entry they have some exclusions in terms of having that equipment located and so that would likely exclude that property. They are a steward of the ratepayers' dollar and they are looking for a site that is low cost for total infrastructure, not just the cost of property but the cost of distribution or transmission that they would need to bring in to serve the area and second to that they are looking at purchasing only what they need. If they purchased 20 acres and only need 2 ½ acres that's property they are maintaining on behalf of all ratepayers that would be in excess. Idaho Power has some of the lowest rates in the nation because they do not overbuild their system, and purchasing additional property would be an overbuild that would be irresponsible as a steward of their ratepayers' dollar. They are looking for a site that is reliable and close to demand to avoid additional infrastructure and a site they can purchase on the market. Recognizing it's not ideal for homeowners and it's very difficult for a utility to find places to site equipment.

Daniel Hyer testified that he has lived in Greenleaf since in 1983 and has gone through numerous power outages due to the unreliability of the power coming from Caldwell and the other substations. He applauds Idaho Power for thinking ahead and planning to put a substation where it will be reliable for the community. He said the City of Greenleaf recently approved 113 homesites and the substation will be essential in providing power for that development. In his opinion the substation on the corner of 10th Avenue and Homedale Road is approximately the same size as the proposed use and the subdivision across the street from that substation is building out rapidly so he doesn't know that it's affecting property values. Power transformers take a few years to acquire because they are built in Europe and they are not readily available and stocked. Rebuttal comments were given by Amy Mallard who testified that the proposal is not compatible with the area and it disrupts the agricultural view. Installing an 8-foot concrete wall is not going to matter if the transformer is 12 feet high and there are other poles that are 50 feet high or the main steel posts that run along Lower Pleasant Ridge Road that will be 70 feet high. There is

property down Lower Pleasant Ridge Road that would be along the same lines that Idaho Power is talking about tying into and there is property east on that road that is 27-52 acres that's been for sale for a long time and no homes would be affected there. She said Mr. Hyer is in favor but questions if he will have to look at facility or hear the noise? Ms. Mallard is not aware of any service issues in the area and questions why Idaho Power wouldn't add a transformer to another substation or find another location further down the road? More due diligence should have been taken to see if there would be opposition. Why place this structure near 37 homes when there are other sites available?

The Board took a recess from 3:10 p.m. to 3:20 p.m.

Commissioner Van Beek said the comprehensive plan designation for Greenleaf that indicates the parcel is to be residential high-density, but she was also reading that Greenleaf has this designated as agricultural low-density. She said the designation of the parcel as "ag-only" indicates that the residential designation is also inconsistent. Principal Planner Root said the map indicates that Greenleaf's comprehensive plan has this identified in two designations as agriculture and residential high-density. The location of where the proposed substation would be is on the future land use map designated for agriculture. Residential and agriculture are identified for the future land use of this property. For Canyon County, the future land use designated is residential, and the current zoning is agriculture. The status of the parcel is ag only for there are no residential permits available without going through a comprehensive plan amendment or rezone or some other mechanism to provide for residential permits to be available.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony.

Commissioner Van Beek said there is a significant change that would take place with putting a substation at this location and even with the enhancements of concrete buildings and landscaping it represents more of a city area of impact lifestyle, but the property is surrounded by large agriculture. She said at a previous land use hearing on a different case, information was provided that was supported and substantiated that a decrease in property value represented a loss to the people surrounding it so there was a financial impact to them. It could potentially decrease the value of the property. Commissioner Holton said the next lowest cost alternative was almost \$30M more. If someone likes their view they should buy the ground they're looking over because the owner of that property has the right to develop it. Noise from the facility is subjective; you would be able to hear it but it would be distant. He understands the change in home values and that the neighbors didn't get to choose about this, but the flip side is the rates will be impacted by not allowing it to be built at this site. Commissioner Brooks said the parcel is in a utility corridor and it complies with the County's and the City of Greenleaf's comprehensive plans. In looking through photos of existing substations from Idaho Power, he prefers the Beacon Light/Linder site because it has a substantial berm and growth. Evidence was provided for EMF and noise concerns, but actual data to prove the contrary was not provided. No evidence was provided with detail concerning the drop in property values. He doesn't know how he would substantiate overturning the Director's decision.

DSD Planning Supervisor Carl Anderson reviewed the criteria in Canyon County Ordinance 07-15-03 - Director's Decision.

Commissioner Holton said the parcel is on a corner so a berm might be problematic if it's too close to the intersection and obstructs the views of those traveling through the intersection. Commissioner Van Beek asked if the Board can require it to be substantially compliant with what Idaho Power has presented in their application. Planning Supervisor Anderson said if the Board wants to add a condition of berming to mitigate and increase compatibility with surrounding land uses he recommends the wording be tied to something such as a landscaping plan and site plan in alignment with it showing berming be provided and reviewed by DSD at the time of building permit submittal. Commissioners Brooks and Holton want it to be similar to the Beacon Light site with berms on the west side and the south side of the property. Commissioner Holton said he has to have quantitative information to weigh and against the testimony concerns about explosions or fire. For instance, it would have been helpful to have examples of explosions in the Idaho Power network. He agrees with the concerns about the location but said he is a public servant and he has to weigh a \$10M cost at this location and a \$30M cost as the next lowest alternative. Regarding concerns about home values, there was no evidence provided regarding comps and he has to have something he can measure and base a decision on. The concern about EMF is debatable, but the burden is upon the appellant and they only gave opinions. He doesn't have anything to overturn the Director's decision. Commissioner Van Beek said within a ½ mile there are 113 homes scheduled for the area, and she likes the rural nature, but she does not like the idea of a substation at this location. There was information provided in a previous land use case where data was submitted to the Board for review where reduced home values were substantiated. She needs additional fact-based information from those in opposition to the proposed use. Commissioner Holton said a possible mitigation would be to ask Idaho Power to look at their lowest next cost alternative, but he is cautious in asking that because he doesn't know if he has clear legal grounds. This is an agricultural area and it's a conforming use and it meets all of the land use criteria for placement here. Commissioner Van Beek wants Idaho Power to come back with more specificity on the parcel site map. Commissioner Brooks said he is not in favor of that and then he made a motion to deny the appeal, Case No. AD2024-0046-APL, affirming the Director's decision for approval for Case No. AD2024-0046 with the added condition that this substation would be in substantial conformance to the appearance and landscaping of the Beacon Light/Linder Road substation that Idaho Power submitted in their presentation, and that DSD would have an opportunity to review that before it was implemented. Commissioner Van Beek wants additional information on why those other sites were not suitable and in the absence of that she would be unable to support the motion. Commissioner Brooks said testimony indicated those sites were not suitable because Idaho Power could not purchase them. Commissioner Holton does not see a way out that's defensible. There could be better sites with less residential impact but he cannot get there and he is not legally comfortable overturning the decision. Commissioner Holton seconded the motion. Commissioner Van Beek was opposed to the motion to deny the appeal. The motion carried by a two-to-one split vote. The Board will reconvene at a later date for the written decision. Upon the motion of Commissioner Van Beek and the second

by Commissioner Brooks, the Board voted unanimously to adjourn. The hearing concluded at 4:10 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 18, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Sara A. Trumble, PA Victim/Witness Services Coordinator – new hire

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Mountain Home Auto Ranch in the amount of \$289,842.00 for the Fleet department (PO #5960)
- Platt Wholesale in the amount of \$19,120.50 for the Facilities department (PO #6126)
- R&H Wholesale Supply in the amount of \$5752.80 for the Facilities department (PO #6124)
- R&H Wholesale Supply in the amount of \$9197.50 for the Facilities department (PO #6125)

Commissioners to conduct quarterly jail inspection/tour

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 21, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ESRI in the amount of \$60,637.61 for the Information Technology department (PO #6085)
- BOE in the amount of \$7443.00 for the Information Technology department (PO #6093)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Jace Michael Aisthorpe - Deputy Sheriff, new hire
- Ethan David Ault – Deputy Sheriff, new hire
- John William Kidder – Deputy Sheriff, new hire
- Brenda Stone – Title change from Interpretive Specialist to Interpretive Ranger
- Colton Oswald - Title change from Interpretive Specialist to Interpretive Ranger
- Jenna Raino - Title change from Interpretive Specialist to Interpretive Ranger
- Jessica Clark - Title change from Interpretive Specialist to Interpretive Ranger
- Jessica Sweeney - Title change from Interpretive Specialist to Interpretive Ranger
- Kristin Stone - Title change from Interpretive Specialist to Interpretive Ranger
- Larry Haney - Title change from Interpretive Specialist to Interpretive Ranger
- Mark Stradley - Title change from Interpretive Specialist to Interpretive Ranger

- Bill Moore - Title change from Interpretive Specialist to Interpretive Ranger
- Robyn Foust - Title change from Interpretive Specialist to Interpretive Ranger
- Paul McGrew - Title change from Interpretive Specialist to Interpretive Ranger
- Merri Melde - Title change from Interpretive Specialist to Interpretive Ranger
- Joshua Johnson – Principal Planner, new hire

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Raising Our Bar to be used on 11/30/24 for the Toyoda wedding
- Raising Our Bar to be used on 11/1/24 for the Merino wedding
- Raising Our Bar to be used on 11/2/24 for the Meltreger wedding
- Raising Our Bar to be used on 11/9/24 for the Nicholls wedding
- Raising Our Bar to be used on 11/15/24 for the Merrick Friendsgiving fundraiser
- Raising Our Bar to be used on 11/16/24 for the Conrad wedding

DETAILED MINUTES TO COME AT A LATER TIME

Receive Clerk's Quarterly Budget Report

Action Item: Consider Resolution to Adopt Job Description, Salary Grade, FLSA, and Title Changes in the Solid Waste Department

Commissioners attending COMPASS Board Meeting

Although a Board majority may attend and participate, no Board action will be required or taken.

Tour Cordova Outdoors Facility, 16166 N. 29th Street, Nampa, Idaho

Although a Board majority may attend the tour, no Board action will be required or taken.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 22, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Isaac Hodges – Promotion to Sergeant
- Luke Jamie Culley – Promotion to Sergeant
- Dion Trimble – Promotion to Lieutenant
- Jonathan Herrick – Promotion to Corporal
- Garrett Hilsabeck – Promotion to Corporal

COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Hunter Onofrei.

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

- Hart Intercivic in the amount of \$11,800.00 for the Elections office (PO #6164)

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 Declaring Properties as Not Necessary for County Use and Authorizing the Sale Thereof
- Action Item: Consider Notice of Surplus Property Auction
- Action Item: Consider Intergovernmental Agreement for Residential Treatment Services with the State of Idaho Department of Juvenile Corrections

Public hearing to consider a request by Darin Taylor, Subdivision Maker, LLC representing, Ryan and Heidi Walker for a conditional rezone of an "A" (Agricultural) to "CR-RR" (Conditional Rezone - Rural Residential)

The request includes a short plat for Edenbrook Estates Subdivision. (Case Nos. CR2021-0012/SD2021-0057)

The Board will consider the following:

- Findings of Fact, Conclusions of Law, and Order
- Development Agreement
- Ordinance

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 23, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Melissa Tucker, market adjustment approved for FY25
- Audrey Barden, Recorder/Passport Specialist – new hire
- Chet Teats, Job title and salary grade change approved by resolution on 10/21/24
- Guillermo “Bill” Martinez, Job title change only approved by resolution on 10/21/24
- Todd Peterson, Job title change only approved by resolution on 10/21/24
- Leon Baguley, Job title change only approved by resolution on 10/21/24
- Daniel Pecunia, Promotion to Deputy Director position
- Bradley Snell, Specialty pay change
- Debbie Jenks, Job title, FLSA change, and salary increase approved by resolution on 10/21/24
- Kyle Strempe, addition of on-call pay

- Shelby Miller, Sr. Weed and Pest Technician – new hire
- Danielle Hoak, Sr. Weed and Pest Technician – new hire
- Logan Minischmidt, Sr. Weed and Pest Technician – new hire
- Shawn Powers, Maintenance Technician – new hire

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with Director of Facilities to discuss general issues, set policy, and give direction

Meeting with County Treasurer to Discuss Certain Charges, Other Than Property Taxes, to be Placed on the 2024 Tax Roll

Action Item: Consider Authorizing Certain Charges, Other than Property Taxes, to be Placed on the 2024 Tax Roll

Action Item: Consider a resolution for the funding, reclassification, and job title of one (1) position in the Sheriff's Office, and CCSO Project Update

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 24, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Northwest Power Systems in the amount of \$18,117.87 for the Facilities department (PO #6127)

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with County Attorneys for a Legal Staff Update

- Action Item: Consider Historic Preservation agreement with American Legion Post 18 for FY2025 funding
- Action Item: Consider Idaho Department of Parks and Recreation Request for Reimbursement/Close-out report for the Celebration Park Boater Improvements grant
- Action Item: Consider declaration and notice of sole source procurement regarding the build-out and purchase of a water tank for the landfill

Meeting to consider DSD refunds as follows:

- Idaho Youth Ranch, Case no. AD2024-0010
- Gregory Parker, Case no. AD2024-0066
- Destiny Platt, Permit no. BP2023-0738
- Freedom Forever, Permit nos. BP2024-0417, BP2024-0368, and BP2024-0393
- Rosetta White, Case no. 2022-0099-APL

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 25, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- James Crager, Deputy Sheriff - Inmate Control
- Kevin Curl, Deputy Sheriff - CID
- Chelsie Engle, Customer Service Specialist - Civil/Records
- Daniel Patterson, Deputy Sheriff - Patrol

APPROVED CATERING PERMIT

The Board approved Idaho Liquor Catering Permit for:

- Parma Ridge to be used on 11/9/24 for the Farm to Fork event

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 28, 2024

There were no meetings held this day.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 29, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Waytek, Inc., in the amount of \$10,981.20 for the Fleet Department (PO #5961)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Justin May, Deputy Sheriff - Courts and Transports
- Jeremiah Mollat, Deputy Sheriff - Inmate Control
- Zachary Koreis, Corporal - Training
- Mathew Hayes, Corporal - Inmate Control
- Aaron Kay, Deputy Sheriff - Inmate Control
- Vanessa Lopez, Deputy Sheriff - Inmate Control

- William Hopkins, Deputy Sheriff - Security Services

APPROVED CATERING PERMIT

The Board approved Idaho Liquor Catering Permit for:

- Heritage Social to be used on 11/9/24 at Franz Witte Garden Center for the Annual Holiday Market

DETAILED MINUTES TO FOLLOW

PUBLIC HEARING – REQUEST BY WILLIAM MASON FOR APPROVAL OF THE PRELIMINARY PLAT, AND IRRIGATION AND DRAINAGE PLANS FOR BAD RIVER SUBDIVISION, CASE NO. SD2022-0005

The Board met today at 1:36 p.m. to conduct a public hearing in the matter of a request by William Mason for approval of the preliminary plat and the irrigation and drainage plans for Bad River Subdivision, Case No. SD2022-0005. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assistant DSD Director Jay Gibbons, William Mason, Tammy Satterwhite, Mark Satterwhite, Tenaya Loening, Tanya Perkins, Brent Wecker, Cleon Hoagland, other interested citizens, and Deputy Clerk Monica Reeves.

William Mason offered testimony on behalf of the applicants who want to replat a portion of the original Murrel Subdivision. Several years ago their request for a conditional rezone and development agreement were approved and today's action is to move that process forward. The replat is Lot 4 of Murrel Subdivision and it will plat three new lots that are seven acres in size and there is a one-acre building envelope which is shown on the preliminary plat. The remaining parcel was part of the original plat and it already has a home on it and it will remain a large 22-acre lot for continued agricultural purposes. They are also requesting the irrigation and drainage plan to be approved, and they will come back with the final plat at a future date.

Assistant DSD Director Jay Gibbons gave the oral staff report. Bad River Subdivision consists of four residential lots and two road lots. A public road provides access to the existing home that would be the new Lot No. 4 and there is a private road to the northwest that will feed the three new vacant residential lots. The property has irrigation and is currently set up with a water source at the top end of the central portion. The water shares will be shared between the four lots and there is a water plan that will be agreed to by the new owners. The existing road, Coyote Trail Lane, provides access to the new lots as well as the two houses that are not a part of Murrel Subdivision. There is a 60-foot road easement on the road lot and the existing private road does not rise to the level of needing to be paved at this point, however, should other properties in the future re-develop, split, or create new ones and they want access to Coyote Trail Lane everybody is in agreement that it could necessitate paving. There is an existing RUMA (road users' maintenance agreement) with the property owners to the northwest that take their access off the

road. The P&Z Commission recommended approval subject to conditions, including ones that satisfy their concerns with the private road. Lot Nos. 1, 2, and 3 are new 7-acre parcels and as part of the rezone they entered into a development agreement where each lot had to be a minimum of seven acres and they had to set aside a 1-acre building lot to ensure six of those acres would remain in agriculture. The plat is in conformance with that requirement. The fourth lot consists of 22.4 acres and will remain in agriculture. Bad River Lane is the second private road and it takes access off Coyote Trail Lane and only provides access and turnaround for the three new lots. The applicants have an irrigation and drainage plan that will be agreed to at the time of final plat or upon sale of the lots. Per the Black Canyon Irrigation District, drainage is not allowed in the creek or waterway so they have provisions in place to take care of that within the property itself. There is a water and irrigation easement specific to how those shares are split. Each lot will have an individual well and septic to be signed approved by SWDH at the time of final plat. Hill Road is a public road that runs north/south, and Coyote Trail Lane is perpendicular to that and the highway district has said there will be improvements at the intersection of that road. Secondary dwelling units were prohibited in the development agreement. The Melba Fire District did not provide comment, but each lot will have to ensure compliance with the fire code at the time of building permit; there will be more follow-up with the fire district at that time. The plat complies with the conditions of the conditional rezone. The only agency comment staff received for the Board's hearing was from the Boise Project Board of Control which reiterated they do not want landscaping or new roads within their irrigation easement. Staff is recommending approval subject to the nine conditions as recommended by the P&Z Commission. Following Assistant DSD Director Gibbons' report, he responded to questions from the Board. Commissioner Van Beek asked if the County will have to deal with the average daily trips exceeding 100 with the secondary dwellings they are allowed on properties? Assistant DSD Director Gibbons said Condition No. 8 speaks to that. There may be potential that those two parcels that are not part of the subdivision could potentially have a secondary dwelling unit. The roadway does not run adjacent or through any other development properties per se. Further discussion ensued. Commissioner Van Beek asked what would stop them from asking for future splits? Assistant DSD Director Gibbons said it would be a subdivision process and the Board could require additional improvements at that point. The way it stands they cannot do that without modifying their development agreement and going through another subdivision process. Commissioner Van Beek said she wants an organized plan for the roads and development out there.

Brent Wecker testified that he lives on Hill Road and his only concern is that the RUMA that's in place would cover this development. At the previous hearing there was discussion about the need for a homeowners association to manage that road, but his property is not part of the Murrell Subdivision and he prefers not to have to enter into something like that. He said the existing RUMA he signed with the Satterwhites for Coyote Trail Lane should be adequate.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Holton said his concerns have been addressed in that there are two RUMAS, one for Coyote Trail Lane and one for the new subdivision. Commissioner Brooks agreed. Commissioner Van Beek said the P&Z Commission did a good job deliberating and getting to a place about the future concerns but she doesn't know that dividing

and putting building envelopes will preserve any quality of agriculture even on a 20-acre piece, but nonetheless it's pretty rural out there still. It appears the plat is ready to move forward. Commissioner Holton said the larger decisions were made in other hearings and the applicants have met all of the issues of the development agreement. He noted that the existing fence will have to be taken care of before the final plat. The Board reviewed the draft FCO's and the nine conditions of approval. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve Case No. SD2022-0005 preliminary plat, irrigation and drainage plan for Bad River Subdivision, subject to the conditions of approval as enumerated herein. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 2:12 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 30, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hanson Janitorial in the amount of \$26,247.30 for the Sheriff's Office (PO #6103)
- SLWS in the amount of \$14,881.20 for the Sheriff's Office (PO #6105)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Sogol Ghadiri-King - Clerk II
- Abigail Gagnon - Clerk I

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 31, 2024

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- Legends Sports Pub & Grill to be used on 11/10/24 for the Leck Celebration of Life event

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 Authorizing the Quitclaim of Parcel No. R34482012 to Canyon Highway District No. 4

- Action Item: Consider County Quitclaim Deed of Parcel No. R34482012 to Canyon Highway District No. 4
- Action Item: Consider Canyon County Weed & Pest Department Collections Services Agreement with Bonneville Billing and Collections, Inc.

DSD General Business

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

THE MINUTES OF THE FISCAL TERM OF OCTOBER 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