

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SANS in the amount of \$6660.00 for the Information Technology department (PO #6090)
- SHI in the amount of \$20,118.00 for the Information Technology department (PO #6086)
- BOE in the amount of \$10,338.00 for the Information Technology department (PO #6093)
- Amazon in the amount of \$9748.83 for the Information Technology department (PO #6146)

ACTION ITEM: CONSIDER RESOLUTION APPROVING CHANGES TO THE TITLE, JOB DESCRIPTION, AND SALARY GRADE OF ONE POSITION IN THE TRIAL COURT ADMINISTRATION DEPARTMENT

The Board met today at 10:33 a.m. to consider a resolution approving changes to the title, job description, and salary grade of one position in the Trial Court Administration Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, HR Director Marty Danner, Trial Court Administrator Benita Miller, Deputy TCA Chris Paulsen, HR Business Partner Demi Etheridge, COO Greg Rast, and Deputy Clerk Monica Reeves. Director Danner said this action will change an already-funded PCN in the TCA Department from Benita Miller's former position of Deputy Trial Court Administrator to a Court Budget Analyst to further support the department and assist TCA Miller and Deputy TCA Paulsen in their respective roles. There is no new change to the budget. TCA Miller said the duties will include analyzing data and projecting revenues as well as creating a dashboard on their website to include a short synopsis of judges' cases. COO Rast noted that the Third Judicial District pays the County \$2,400 each year to host their website and he thinks the dashboard is a great idea. The Commissioners are supportive of the change in the job description. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the resolution approving the changes to the title and job description for the Court Budget Analyst position in the TCA Department. (Resolution No. 24-204.) The meeting concluded at 10:42 a.m. An audio recording is on file in the Commissioners' Office.

FILE IN MINUTES

The Board filed the Treasurer's monthly report for September 2024, quarterly report for July thru September 2024 and yearly report for October 2023 thru September 2024 in today's minutes.

APPROVED CLAIMS

- The Board has approved claims 610860 to 610915 in the amount of \$342,617.10
- The Board has approved claims 610916 to 610947 in the amount of \$30,717.73

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Avaya in the amount of \$10,676.16 for the Information Technology department (PO #6147)
- Avaya in the amount of \$62,135.28 for the Information Technology department (PO #6148)
- J.C. Wallace Construction, LLC, in the amount of \$42,865.00 for the Facilities department (PO #6128)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Acapulco Mexican Restaurant to be used 11/7/24 for the Canyon County Election Reception
- Legend's Sports Pub & Grill to be used 11/23/24 for the Idaho Historical Racing Society

CONSIDER TWO 3-YEAR AVAYA AGREEMENTS FOR CANYON COUNTY TELEPHONY SERVICES

The Board met today at 11:01 a.m. to consider two 3-year Avaya agreements for Canyon County telephony services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, IT Business Manager Caiti Pendell, IT Operations Manager Jairo Rodriguez, Controller Kyle Wilmot, COO Greg Rast, and Deputy Clerk Jenen Ross.

Mr. Rast presented two purchase orders and two customer order forms for Board review and approval. This is a 3-year agreement with this being the first year. Mr. Rast indicated that the contracts have been reviewed by Chief Civil P.A. Aaron Bazzoli and a memo has been included. One of the purchase orders is for the messaging transcription service and the other is the advantage support agreement. These contracts were missed both from a budgetary standpoint and in submitting them in a timely manner as they were due November 1, 2024 – this is primarily due to the previous director of IT. Holistically this contract went up about \$6000 annually and the total \$72,811.44 of these two purchase orders was not accounted for in the FY25 budget along with approximately 10-12 other products. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the two 3-year Avaya agreements for Canyon County telephony services (agreement nos. 24-146 and 24-147).

Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to adjourn the meeting.

The meeting concluded at 11:10 a.m. and an audio recording is on file in the Commissioners' Office.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 5, 2024

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change forms for:

- Roxanna Page, Juvenile Detention Officer

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas (left at 9:39 a.m.), Historic Preservation Officer Chelsea Boehm (left at 9:42 a.m.), Coroner Jennifer Crawford (left at 9:34 a.m.), Facilities Director Rick Britton (left at 9:39 a.m.), Outdoor Recreation Planner Alex Eells (left at 9:39 a.m.), COO Greg Rast, Controller Kyle Wilmot (left at 9:39 a.m.), HR Director Marty Danner (arrived at 9:32 a.m.), Realtor Norm Brown, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Agreement for Pathology Services between Canyon County and Ada County: This is the annual renewal of the agreement for FY25 which provides coverage in the event the county's pathologist is unavailable. There are no changes to the agreement as compared to previous agreements. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement for pathology services between Canyon County and Ada County (agreement no. 24-148).

Consider Canyon County Celebration Park Boater improvement Project Contract with J-U-B Engineers, Inc. for Hydraulic Analysis and Barb Design: Mr. Klaas explained that for grant purposes a hydraulic study is going to be necessary and Mr. Eells provided additional details as to the reasons this analysis will be needed. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Canyon County Celebration Park Boater improvement project contract with J-U-B Engineers, Inc. for Hydraulic Analysis and Barb Design (agreement no. 24-149).

Consider Canyon County Historic Preservation Support Award agreement with Nampa Valley Grange 131: This funding will go to repairing the roof at the Nampa Valley Grange, which is listed on the Nation Register of Historic Places. The amount being awarded is \$37,000. Upon the motion of

Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Canyon County Historic Preservation Support Award agreement with the Nampa Valley Grange 131 (agreement no. 24-150).

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

EXECUTIVE SESSION – PERSONNEL MATTERS, ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 9:43 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (c), (d) and (f) regarding personnel matters, acquisition of an interest in real property, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, COO Greg Rast and Realtor Norm Brown. Mr. Brown left at 9:50 a.m. and Mr. Wesley left at 10:09 a.m. The Executive Session concluded at 10:33 a.m. Commissioner Van Beek made a motion to continue the legal staff update to 1:30 p.m. today. The motion was seconded by Commissioner Holton and carried unanimously.

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

DSD GENERAL BUSINESS

The Board met today at 10:36 a.m. for a DSD general business meeting. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, COO Greg Rast, Constituent Services Director Aaron Williams, and Deputy Clerk Monica Reeves.

Today's handouts included the DSD/BOCC general business general categories of topics which was updated on November 4, 2024, as well as metrics information for GIS, code enforcement, including DSD activity summary reports, and case status information. Director Minshall reviewed the sequence of topics and said today they will get back to the case status report and talk about metrics and whether the report is what the Board is looking for. On Thursday, they will come back with additional information the Board requested in terms of conditional rezones, and what some for their history, status, and options are before we get all the way into that ordinance. Starting next Tuesday, Thursday, and the following Tuesday they want to review the planning case flow. They will also talk about parcel inquiries going away and where some of those processes would go, and they have arranged for a title company to answer questions and do some follow-ups to how we are changing up the operation on parcel inquiries so that we are on the same page. Then we'll get back to questions about the comprehensive plan and work on a scope and then they will

come back to administrative divisions and the intent is to come with an outline proposal of some options so we know how to proceed with an ordinance on the administrative side. Collectively, we are a bit behind where we hoped to be by the end of the year in terms of having some ordinances to review. We've had good conversations so it's likely that draft ordinances might be early to mid-January but on the topics, we are tracking pretty good with where we said we would be.

Assistant DSD Director Gibbons said the point in talking about the land use case status stats is to get to a point where they provide numbers on a monthly basis so the Board knows what those numbers mean and it shows the progress being made. They have 41 applications that are not assigned at the moment and half are cases from 2024, but they want to get to the point where they have no backlog. They are communicating with the applicants and trying to build better expectations and they are pretty much there as far as the conditional use permit cases, but they are still working through rezones from 2023. There are 17 final plats are in process. Commissioner Holton asked staff to make sure the Board's online land use hearing page is updated with the cases that have been scheduled.

There was a review of the numbers on all applications by type/submission date. Staff reports that processes, checklists, and applications have been updated and they are cleaner and more consistent. The Board asked staff to add a column to the left of the active column titled *decision/result*, and to include information to help show if there is a backlog.

There was discussion regarding entitlements. Director Minshall said one of the things she observed is when you get an entitlement processed, unless the preliminary plat is with it, usually within a year you will see the plat. Standards say it's a 2-year period between the preliminary plat and final plat, and from the time of submission to the time it gets to final plat, probably somewhere between 3-4 years.

The total building permit fees collected were \$2,571,419.24. DSD exceeded building permit revenue by a substantial amount.

Commissioner Holton spoke about past decisions where they did not have a concept of the value of the homes being built in a county subdivision and said he people need to be cautious when participating in a subdivision that has a 12,000 square foot lot because they may not have enough space for a drain field. Director Minshall agreed and said we need to watch that because it's not just about compatibility and square footage of lots; what is our expectation? Commissioner Holton said we need to look at modifying that quickly. Commissioner Van Beek mentioned a project where there were million-dollar homes surrounding a plot of land that made no sense and there was active protesting for the difference in quality and the de-valuation of people that intentionally purchased expecting the governing body to protect what had been there before, and it was stunning when two Commissioners made that decision. Director Minshall said that leads into the conversations we are having; rezones are about density and conditions you can put on for the rezone. It's blind to square footage and valuation and amenities in the code. Those are the types of things that can be discussed such as what are our requirements for a subdivision in the County.

Collectively, we have been building on this so we have to get our comprehensive plan and the visions of where things are compatible. What are we going to do with administrative divisions? The next steps out of that will be to get into our subdivision code. When rezone decisions are made you do not know what the endgame is going to look like and that can change until you approve a preliminary plat, even then our code is relatively basic of what we expect for a preliminary plat. We don't have design review, but we could have conversations around that because we are seeing some of the numbers start to reflect those folks coming in.

DSD Assistant Director Gibbons said when it comes to development in the areas of city impact they are trying to find a balance with what the city would want because the County does not have those standards in its subdivision ordinance, per se, or things that would on a lower level set that subdivision up for amenities or open space or streetscape treatment, etc. We have to decide what level of development or improvements or amenities we want to be provided for our future residents. Director Minshall said the first step is to talk about what is an administrative division and what are we going to consider subdivisions. DSD is not advocating one way or the other, but we need to be thoughtful about it so we can be consistent.

Commissioner Holton said now is the time to negotiate with the municipalities on what that ground looks like and for this Board to be making decisions of placing that kind of density. He said a 12,000-square-foot-lot sounds huge but when you put a large home on it there isn't much left for a drain field and it's not a good plan to go forward with and it is up to the Board to modify the rules to protect the public. Commissioner Van Beek said for areas like that it is an acute emergent and she objects and questions why it's not a priority to change it. She has been lobbying for architectural and design overlays that require a certain standard of development and has no idea why the County doesn't have that. Commissioner Holton doesn't know if he is comfortable to go with architectural review in the County because it's a completely different market. He said people are carving up ground with an acre here or there and then later coming in and putting it all into lots anyway. He said we need to match our overall goal with what we are doing down into the nitty gritty. Commissioner Van Beek said the counterweight to that is at some point in the time the city will reach those rural areas of development and they still need to be good quality of pieces of development that have some desirable amenities and that's the minutia we need to figure out. A former Board chairman was intentional in requiring certain landscaping features or entryways to subdivisions, but it gave them some appeal in that area that she can point to. The administrative splits that create the subdivisions but do not have any standards are any eyesore. Director Minshall said she recommends we think about separating out what is agreed upon in an appropriate area of impact and what does it mean. The way it's being defined with the new state law is where is the city really going to serve and what is going to be city? If we embrace the concept of what's going to city, how we treat and develop within that area that's going to be city could be very different than if you are in the county because market forces will dictate a lot of that. The way we do that is through those area of impact agreements and what rules apply and when is where we have the most ability to make those influences. If we say an area is going to be the city first of all we have to agree it's going to be the city within a period of time, that's the vision. Often if an application comes in we will get comments from Nampa and Caldwell that they do want some of their sidewalk or landscape standards and the Board has the right on whether

they waive those but when we waive them we are essentially cutting off one more thing that the city is saying this is going to be city. It's a fundamental philosophy issue of what really do we mean and what is the expectation? What are we aligned with in vision and what aren't we? Outside of impact areas maybe that's a different discussion and we get into conversations about is it a larger lot size? Are they done through administrative divisions? If they are they never hit the subdivision conversation. We have to decide what is a subdivision and then we can address the subdivision regulations. There are big decisions to be made and how we communicate them to the public. Commissioner Holton agreed and said in dealing with some of the land south of Nampa and seeing all the islands of county in the middle of the city is something he might try to work against.

DSD Assistant Director Gibbons said at a recent training SWDH provided training on how they look at their septic permits, parcel sizes, and the engineering that goes into it and DSD planners had the opportunity to ask a lot of questions that they encounter with customers, and it encouraged them to be more proactive and work together because we need to ask the right questions. Director Minshall said SWDH said they can send reports to DSD and she believes it would be helpful for the Board to see and understand what the role is. Commissioner Holton said it would be beneficial to the County if we had an open workshop with the P&Z Commission, the Board, and SWDH on this subject. He also said he doesn't want a preliminary plat waiting for a signature to go to a final plat and it's something that we should have known about and made a condition on and we could have solved a lot of heartache. Director Minshall said DSD is on it. The meeting concluded at 11:31 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER ADOPTION DAY PROCLAMATION

The Board met today at 11:40 a.m. to consider an Adoption Day proclamation. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assistant Trial Court Administrator Chris Paulsen, Administrative Supervisor Tara Hill, COO Greg Rast, and Deputy Clerk Monica Reeves. Tara Hill offered comments in support of adoption day noting they have partnered with Region 3 Health and Welfare in putting together a celebration on November 22, the day before the National Adoption Day and they have encouraged private adoptions and those through the department to be finalized on November 22. Positive attention is so important so they are asking the Board to sign a proclamation and help them celebrate. Commissioner Van Beek read the proclamation into the record recognizing National Adoption Day on November 23, 2024 and called on citizens to observe and acknowledge that all children should have permanent, stable, loving homes, as well as the need to support those families who commit to provide these children with a family for a lifetime. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the proclamation. The meeting concluded at 11:48 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUED MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

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

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

Commissioner Van Beek made a motion to go into Executive Session at 1:35 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton. Commissioner Holton took a roll call vote where he along with Commissioner Van Beek voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, Chief Deputy P.A. Aaron Bazzoli, HR Director Marty Danner, and COO Greg Rast. Commissioner Brooks joined the meeting at 1:50 p.m. The Executive Session concluded at 2:28 p.m. with no decision being called for in open session.

Commissioner Holton motioned to adjourn the meeting. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 2:29 p.m. and an audio recording is on file in the Commissioners' Office.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 6, 2024

APPROVED CLAIMS

- The Board has approved claims 610778 to 610818 in the amount of \$58,890.60
- The Board has approved claims 610819 to 610859 in the amount of \$252,055.55
- The Board has approved claims 611005 to 611006 in the amount of \$2,404.13
- The Board has approved claims 610948 to 610977 in the amount of \$64,033.49

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Western States - Meridian in the amount of \$879,576.22 for the Solid Waste Department (PO #6165)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Garrett Mowbray, Deputy Sheriff
- Stacie Woods, Emergency Communications Officer 1

- Doug Ward, Emergency Communications Officer 1
- Paige Switter, Emergency Communications Officer 1
- Robin Reynolds, Emergency Communications Officer 1
- Megan Mawyer, Emergency Communications Officer 1
- Tiffany Knehr, Emergency Communications Officer 2
- Brett Cretal, Emergency Communications Officer 2
- Stephanie Campbell, Emergency Communications Officer 1
- Jennifer Blackburn, Emergency Communications Officer 2
- Jordan Hammond, Sergeant
- Kevin Patchett, Deputy Sheriff
- Timothy Wood, Sergeant
- Parker Smith, Deputy Sheriff
- Jacob Petras, Deputy Sheriff
- Garrett McRae, Corporal
- Lucas Martin, Deputy Sheriff
- Chaz Howell, Corporal
- Cory Ray Kondeff, Deputy Sheriff
- Tomas Gomez, Deputy Sheriff
- Cody Ghighina, Deputy Sheriff
- Robert Stewart, Deputy Sheriff
- Beau Bolinder, Deputy Sheriff

APPROVED JULY 2024 AND AUGUST 2024 TERM COMMISSIONER PROCEEDINGS AND SYNOPSES

The Minutes of the Fiscal Term of July 2024 and August 2024 were read and approved and found to be a proper record of the proceedings of the Board of Commissioners of Canyon County, Idaho. Also approved was the synopsis for both months for publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

SURPLUS PROPERTY AUCTION

The Board met today at 10:00 a.m. to conduct a surplus property auction (tax deed property sale). Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Treasurer Jennifer Watters, Deputy Treasurer Tonya May, Deputy PA Laura Keys, Senior Systems Analyst Steve Onofrei, Gerardo Gomez Sanchez, James Thompson, Brian Donohue, Matt Freeland, Jennefer Freeland, Eric Dalke, Eric Bowen, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Holton opened the meeting and made a motion that Commissioner

Brooks will be the auctioneer for today's auction. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Brooks read the pre-auction statement to those in attendance and the following parcels were auctioned:

PARCEL 1

PIN: 19574000 0
ADDRESS: 506 S ROSWELL BLVD PA ID
MINIMUM BID AMOUNT: \$3,870.27
SOLD TO: Gerardo Gomez Sanchez
AMOUNT: \$40,000

PARCEL 2

PIN: 19811000 0
ADDRESS: 309 5TH ST WI ID
MINIMUM BID AMOUNT: \$12,750.36
SOLD TO: James Thompson
AMOUNT: \$82,000

PARCEL 3

PIN: 27047000 0
ADDRESS: 15953 SUNDOWN ST CA ID
MINIMUM BID AMOUNT: \$3,509.97
SOLD TO: Brian Donohue
AMOUNT: \$47,000

PARCEL 4

PIN: 28180011 0
ADDRESS: S POWERLINE RD ME ID
MINIMUM BID AMOUNT: \$2,383.26
SOLD TO: Matt Freeland
AMOUNT: \$53,000

PARCEL 5

PIN: 30015100 0
ADDRESS: OAK RIVER LN CA ID
MINIMUM BID AMOUNT: \$5,280.31
SOLD TO: Eric Dalke
AMOUNT: \$81,000

PARCEL 6

PIN: 31489249 0
ADDRESS: 413 N COPPER RIVER DR NA ID
MINIMUM BID AMOUNT: \$10,700.92
SOLD TO: Eric Bowen

AMOUNT: \$224,000

The deadline for payment is 4:00 p.m. today. Once payment is received for the parcels the Board will schedule the signing of the quitclaim deeds. The meeting concluded at 10:48 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 11:04 p.m. with the IT Director to discuss general issues, set policy and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO/Interim CIO Greg Rast, IT Business Manager Caiti Pendell, Operations Manager Jairo Rodriguez, Project Manager Shawn Adamson, Development Manager Steve Webb, Project Manager Aaron Lasley, Controller Kyle Wilmot, and Deputy Clerk Jenen Ross.

Mr. Rast reviewed a PowerPoint with the Board which addressed the following:

- Staffing status update/alignment
 - There are 6 vacancies within IT and 1 vacancy on the CCSO-ETS side
 - Information Security Officer position will be posted in January as it is not funded until February
- Review of service contracts budget projection shortfall of \$248,895.44
 - Mr. Rast explained that under the previous director, the processes that were in place to avoid this happening were not followed.
- Operational & Project Watchlist
 - A review was provided of projects that are in either in the que or in progress along with the timeline for FY2025 and upcoming projects for FY2026
 - Projects Mr. Rast feels must move forward are the Avaya Optimization Services and Microsoft 365
 - BOCC AV Expansion – this is a \$10,000 project that Mr. Rast is recommending to hold on this project until FY2026, the Board is supportive of this.

Discussion ensued regarding the GIS project, camera installation project, and VM Ware project.

- Potential Options for Savings in IT
 - There are currently 6 vacancies in IT which provides a savings of \$577,568.96; Mr. Rast believes the shortfall in the 'B' budget could be covered by savings in the 'A' budget.
 - Mr. Rast has been working with Director Danner and they are trying to fill the Assistant IT Director position in an effort to have consistent leadership within IT. If the Assistant Director position is filled, it is believed there would still be enough savings in the 'A' budget to apply toward the 'B' budget.

Discussion ensued regarding discontinuing the 3-part carbon copy purchase orders and removal of admin rights so that software can't be installed without IT involvement.

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

Commissioner Holton motioned to adjourn the meeting. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 11:54 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS LEVY RATES APPROVED BY THE STATE TAX COMMISSION AND ASSOCIATED CHANGES

The Board met today at 2:30 p.m. to discuss levy rates approved by the State Tax Commission and associated changes. Present were: Commissioners Brad Holton and Leslie Van Beek, Treasurer Jennifer Watters, Controller Kyle Wilmot, Senior Systems Analyst Steve Onofrei, Facilities Director Rick Britton, and Deputy Clerk Monica Reeves. Steve Onofrei said today's meeting is to discuss the changes the state made to a few levy rates, including a few he did not catch which are summarized below:

Melba School District: Their levy rate changed, and their tort fund is the only fund that increased by 3% and the new construction, and there is the solar farm tax that comes with Ada County and Owyhee County. He reviewed the calculating formula that was used which caused the bond levy rate to be adjusted.

Homedale School District and Notus School District: There was a calculation issue with dropping off the cents and rounding up to the whole dollar amounts.

College of Western Idaho: Ada County had a value adjustment which caused a levy rate change and that impacted Canyon County.

Upper Deer Flat Fire: The fire district took forgone this year and published that they were going to take \$6,200 which includes 1% M&O and 3% capital improvements, but when they approved their resolution it said \$4,200 so he based the levy rate calculation off of what they published; however, the state said the resolution is the overriding factor.

Greenleaf Cemetery and Wilder Cemetery Districts: The Auditor's Office filled out the L-2 forms and the levy rates were calculated correctly until they fell out of compliance on the Friday before the state issued the approved levy rates. When the districts are out of compliance they do not get the 3% rate increase for new construction.

The Board thanked Mr. Onofrei for the information and recognized this year was a learning process and the Auditor's Office has good leadership that does the best it can to provide excellence in service and reporting. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to adjourn at 2:48 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED CLAIMS

- The Board has approved claims 611120 to 611166 in the amount of \$75,328.63
- The Board has approved claims 610979 to 611004 in the amount of \$75,760.10
- The Board has approved claims 611007 to 611034 in the amount of \$36,347.83
- The Board has approved claims 611035 to 611080 in the amount of \$125,125.84
- The Board has approved claims 611081 to 611119 in the amount of \$103,084.73
- The Board has approved claims 611167 to 611201 in the amount of \$77,800.26
- The Board has approved claim 611202 in the amount of \$670,595.83

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Motorola Solutions in the amount of \$36,507.84 for the Sheriff's Office (PO #6106)
- Motorola Solutions in the amount of \$151,306.28 for the Emergency Management department (PO #6107)
- Motorola Solutions in the amount of \$6,925.26 for the Coroner's Office (PO #6171)
- Motorola Solutions in the amount of \$55,559.68 for the Fleet Department (PO #6172)
- Emergency Responder Services, Inc., in the amount of \$95,690.36 for the Fleet Department (PO #5962)
- NWestco in the amount of \$13,461.00 for the Fleet Department (PO #5963)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Myron Emly, Juvenile Detention Supervisor II
- Tom Moore, Juvenile Detention Supervisor II
- Santiago Cuzzi Ramos, Juvenile Detention Supervisor I
- Andrew Anderson, Juvenile Detention Officer

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief

Deputy P.A. Aaron Bazzoli, Deputy P.A. Oscar Klaas (left at 9:35 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Deputy P.A. Laura Keys, Cpt. Ray Talbot (left at 9:35 a.m.), Lt. Brian Crawford (left at 9:35 a.m.), Lt. Dion Trimble (left at 9:35 a.m.), HR Director Marty Danner (arrived at 9:34 a.m.), COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Signing a Resolution Authorizing the Retirement of CCSO K9 Moores: Lt. Trimble explained that Moores is a 7-year-old dual purpose K9. The lifespan of this kind of K9 within the Sheriff's Office is about 8 years. K9 Moores has been with handler Sgt. Moore for all of his service years but Sgt. Moore has since resigned from the K9 unit for a new assignment. Due to these circumstances and the time it would take for Moores to retrain with a new handler, CCSO is requesting retirement to Sgt. Moore. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing the retirement of CCSO K9 Moores to Sgt. Moore (resolution no. 24-205).

Consider Resolution Approving Two (2) New Policies to the Current Employee Handbook, and Updating Section 3.10 Reemployment Portion of Current Employee Handbook: Director Danner said this is a follow-up from a previous meeting noting that all changes requested by the Board at that time have been made. Changes were made to the following which were all reviewed by Ms. Danner:

- 8.20, 8.21 and 8.22 Pet Policy-Service Animal policy
- 5.01.06 Grant of Vacation policy
- 3.10 Reemployment

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving two (2) new policies to the current employee handbook, and updating section 3.10 reemployment portion of current employee handbook (resolution no. 24-206). Mr. Rast indicated that the revised date and new signatures in the handbook will be handled administratively. The Board provided direction to Director Danner to send the updated handbook out to Elected Officials and Department Administrators along with updating the employee portal.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:41 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Deputy P.A. Laura Keys, and COO Greg Rast. HR Director Marty Danner joined at 9:54. Mr. Wesley, Mr. McRae and Ms. Keys left at 9:54 a.m. The Executive Session concluded at 10:45 a.m. with no decision being called for in open session.

The meeting concluded at 10:46 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 11:31 a.m. to consider matters related to Indigent Services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George, and Deputy Clerk Jenen Ross. Ms. George presented the following cases for Board consideration:

Case nos. 2025-2 and 2025-3: Both decedents were Canyon County residents and meet the eligibility criteria for cremation assistance from the county. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve case nos. 2025-2 and 2025-3.

The meeting concluded at 11:32 a.m. and an audio recording is on file in the Commissioners' Office.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 8, 2024

No meetings were held this day.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 12, 2024

Meeting with County Attorneys for a Legal Staff Update

- Action Item: Consider Service Agreement with Motorola Solutions
- Action Item: Consider Statement of Work for Professional Services Agreement with Case Management Systems, LLC (CMS)
- Action item: Consider a Resolution Establishing Fees for Owl Box Cleaning Services by Canyon County Weed and Pest Department
- Action Item: Consider a Resolution Authorizing the Issuance of Quitclaim Deeds to Successful Bidders at the November 6, 2024 Auction of Surplus Property

Executive session pursuant to Idaho Code Section 74-206 (1) (a), (b) and (d) regarding personnel matter and records exempt from public disclosure

- Action Item: Consider Appointment of Interim Director of Development Service

DSD General Business

Action Item: Consider resolution granting a new alcoholic beverage license to Walmart, Inc dba Walmart Fuel Station #2780

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 13, 2024

APPROVED CLAIMS

- The Board has approved claim 611203 in the amount of \$92.66
- The Board has approved the September Jury claim in the amount of \$4,641.08

APPROVED NOVEMBER 15, 2024 PAYROLL

- The Board approved the November 15, 2024 payroll in the amount of \$205,600.09

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Marrero Armor in the amount of \$6,400.00 for the Sheriff's Office (PO #6108)
- Mountainland Supply Company in the amount of \$16,250.00 for the Facilities Department (PO #6129)
- Trane in the amount of \$48,481.82 for the Facilities Department (PO #6130)
- Hess Construction in the amount of \$5,250.00 for the Facilities Department (PO #6131)
- Right Systems in the amount of \$9,558.00 for the Information Technology Department (PO #6149)
- Mountain Home Auto Ranch in the amount of \$100,041.84 for the Fleet Department (PO #6173)

DETAILED MINUTES TO FOLLOW

Action Item: Consider the Annual Juvenile Justice Report to the Idaho Department of Juvenile Corrections

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

The Board met today at 10:03 a.m. with the HR Director to discuss general issues, set policy, and give direction. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, HR

Director Marty Danner, COO Greg Rast, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. Director Danner reported on the following topics:

- A personnel matter that will be discussed in Executive Session
- Job description template overhaul
- RFP for a new HRIS system
 - After informing ADP (the current provider) that the County will go to market, they have reduced their original cost for the added on modules from \$65,000 to \$27,500 which would include recruiting, performance management, ACA, and a document cloud as well as the removal of JobScore
- Working to have performance reviews in place for FY26 budget, and hopes to have BOCC review the end of February. The goal is to manage it digitally.
 - Working with COO Rast on a compensation structure to assist with telling personnel how they can advance through their grade and it would be a way to measure for merit. The goal is to have it in place before FY26 budget workshops.
- Employee leadership training for FY25
 - Perhaps a leadership cohort that is run by Canyon County. More information is needed
 - Bimonthly training classes for employees offered by outside sources
- Coroner's Office received two new positions and Coroner Crawford wants to hire for one of the new positions prior to February 2025 because the office is short-staffed.
 - Hoping to hire one in December and wait until February for the second new position. The Coroner also wants her team to go to a 12-hour shift. Director Danner is confident the Coroner can be classified as a first responder.
 - The Board wants to see documentation for the budget impacts of filling one of the new positions in December. The Clerk needs to review it as well. Director Danner will supply the information as requested.
- Director Danner will meet with the Chief Deputy Sheriff to discuss moving the Sheriff's Office to a 14-day pay period
- Employee handbook project
 - A process handbook is needed on how to onboard and offboard people
 - Will have the employee handbook updated with the three most recent changes by the end of the week

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

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 10:18 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter and records

exempt from public disclosure. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, HR Director Marty Danner, COO Greg Rast, and Deputy PA Zach Wesley. The Executive Session concluded at 10:43 a.m. with no decision being called for in open session. Upon the motion of Commissioner Van Beek there was Board consensus to adjourn.

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

DETAILED MINUTES TO FOLLOW

Action Item: Consider agreement with Computer Arts, Inc. for Indigent Services/Board of Community Guardians

COMMISSIONERS TOURING THE WEST VALLEY HUMANE SOCIETY OPEN HOUSE EVENT

A Board majority attended an open house event at the West Valley Humane Society this afternoon at 1:00 p.m. It was not a Commissioner meeting; there were no motions, action items or Board direction entertained or given.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 14, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- PSI in the amount of \$7,546.45 for the Solid Waste Department (PO #6166)
- CDW-G in the amount of \$5,750.00 for the Fleet Department (PO #6174)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Raising Our Bar to be used 12/4/24 for the Team Realty Christmas Party
- Raising Our Bar to be used 12/5/24 for the Meadowview Christmas Party
- Raising Our Bar to be used 12/7/24 for the Boise Cascade Christmas Party
- Raising Our Bar to be used 12/8/24 for the Jamie & Steven Garza Wedding
- Raising Our Bar to be used 12/13/24 for the Rock Placing Co Christmas Party
- Capitol Bar to be used 11/16/24 for Wilson Wedding

Meeting with County Attorneys for a Legal Staff Update

Public hearing to take comments regarding the sole source procurement regarding the build out and purchase of a water tank for the landfill and to consider an action item

- Action Item: Consider Executing Purchase of water tank and installation services for water tank from Utility Truck and Equipment

CANVASS THE NOVEMBER 5, 2024 ELECTION RESULTS

The Board canvassed the November 5, 2024 Election results. The official documents were presented by Elections staff and were signed in the Elections Office.

PUBLIC HEARING - APPEAL BY JEFF RANSOM FOR A CONDITIONAL USE PERMIT TO ALLOW A SPECIAL EVENT FACILITY USE WITHIN AN "A" (AGRICULTURAL) ZONING DISTRICT, CASE NO. CU2021-0016-APL

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of an appeal by Jeff Ransom for a conditional use permit to allow a special event facility use within an "A" (Agricultural) zoning district, Case No. CU2021-0016-APL. The subject property is located at 16480 Goodson Road, Caldwell (parcel R37880011). Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Debbie Root, Jeff Ransom, Tim Vetterick, Christy King, Terrel McHenry, Preston Rutter, Dan Troncale, Deborah Troncale, Quentin Osborne, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley arrived at 3:14 p.m.

Preston Rutter offered testimony on behalf of the applicant emphasizing the quality of the project and referring to video of drone footage showing the property which consists of large acreage, is well landscaped, and has breathtaking views. A half-acre area has been dedicated for parking and the estate is surrounded by large parcels with a lot of buffer in between. There will be no on-street parking, and the circular driveway will be built to County road standards. The fire district has signed off that it meets their access standards. Events will be held Thursday-Sunday; hours of operation are limited to 9 a.m. to 9 p.m., and on Sundays they will close at 6 p.m. Outdoor amplified sounds, if any, will be directed towards I-84 and are prohibited before 11 a.m. and will end at 9 p.m. Every event will have a designated point of contact onsite should a concern arise. The events will be private, and no single event will have more than 150 guests. Goodson Road is a major collector road and is rated for up to 1,500 vehicle trips per day, and he said that stretch of roadway already handles quite a bit of traffic. On invitations guests will be reminded to drive with care, especially on Goodson Road which is maintained by the Notus-Parma Highway District and is plowed regularly. The venue will cater to classy events such as weddings and religious

celebrations. If alcohol is served, only businesses properly licensed and permitted would serve it and will do so in accordance with applicable laws. Lights will not exceed 16 feet above grade elevation and will have shielded luminaries. The nearest home is over 800 feet away, most are more than 1,100 feet away. The question is whether this use is allowed in the area, but that decision has already been made in the code. The zoning ordinance has adopted a special use permit allowing this use with reasonable conditions and this application is only to determine what those reasonable conditions would be to mitigate any adverse impacts. Most of the surrounding properties have a mixed residential use, many run ag products and do commercial boarding, and others have ATV and dirt bike tracks. The use fits many of the comprehensive plan's goals. The conditions the applicant has proposed go above and beyond what would be reasonable to mitigate actual impacts, and a lot of the impacts that have been addressed are just concerns. This is an allowed conditional use permit and Goodson Road is rated up to 1,500 vehicles per day, and it is maintained, and these are facts to rely upon but said the P&Z Commission made a misstep by deciding whether the venue is a proper use in that location. That has already been decided and he asked the Board to allow them to move forward with the proposed conditions. Following his testimony, Mr. Rutter responded to questions from the Board. There was discussion regarding the possibility of imposing additional conditions should the Board approve the request. The highway district does not intend to place speed limit signs on any of the local roads; nor do they intend to stripe the roads. The Ransoms have approached the highway district with offers to help with the signs, and striping but the district was not receptive not their offer.

DSD Principal Planner Debbie Root gave the oral staff report. The applicant's letter of appeal indicates that there were numerous erroneous findings and misguided conclusions and that the P&Z Commission provided no actual evidence supporting the objections to the proposed facility. Canyon County Code defines Special Events as follows: "Any temporary event including, but not limited to, weddings, picnics, barbecues, holiday events and parties, dances, concerts, footraces and walks, bazaars, and harvest festivals." The applicants were asked if they would be willing to reduce the types of activities due to concerns about monitoring and how do you ensure that the applicant stays compliant with the number of guests coming and going at any one time. If the Board does approve the request, staff suggests they consider limiting the type of activities they may conduct at the site in order to reduce that difficult to condition and enforce traffic volume and activity with persons coming to the area. There was a review of the C.U.P. criteria. The P&Z commission found there would be undue interference from traffic, but the applicant has stated the road would handle up to 1,500 cars. This segment of Goodson Road is not a collector roadway, it is a rural local road segment, it will not be striped, and it has narrow and steep shoulders and it has low visibility. The P&Z Commission considered the potential for late/lacking maintenance of the roadways during storm events and potential road safety hazards. Staff noted there are currently two structures on the property that have been converted to living quarters without building permits. To date no building permits have been applied for to correct the noncompliance. The applicant contests whether the structures are noncompliant. Staff does not have a building permit for either structure being used as living quarters. The video provided by the applicant shows that the structures have been converted to living quarters or the ability to inhabit structures and they need to be brought into compliance if they are proposed to be utilized for the facility.

Staff found that the application was not consistent with the 2020 comprehensive plan, which is the plan the application was filed under. The plan has the area identified for residential and future residential uses and a C.U.P. for a special event facility would not be eligible in a residential zone. It could be injurious to properties in the immediate vicinity or change the essential character. There are 11 platted subdivisions with multiple phases within one mile of the subject property, and there are 3 additional subdivisions in the platting process. There are some agricultural businesses operating in the area, including Mr. Ransom's well drilling business which is operated from the subject property. There are some commercial aspects to the area, but it's primarily agricultural with some residential pockets and it was designated to be residential on the 2020 future land use map. There were five letters in opposition received for the P&Z Commission hearing and four additional letters were received for today's hearing. Planner Root gave a review of agency comments. The P&Z Commission denied the C.U.P. application for a proposed event facility. Following her staff report she responded to questions from the Board.

Public testimony was as follows:

Christy King testified that she and the applicant, Jeff Ransom, reside on the subject property and their plan is to have the special event facility by the waterfall area between the ponds, which will be a beautiful place for a wedding venue and for other events. She said they do not want to disrespect anyone in the neighborhood with their proposal.

Terrel McHenry testified that he is opposed to the request because it's a commercialization of the rural character of the area and he doesn't want to see his property turned into a roundabout. He is concerned about the noise, lights, and traffic the venue will create and he believes the proposed use is a marketing ploy for the Ransoms to sell their house.

Jeff Ransom testified that he does not agree with his neighbors' opinions that Goodson Road is unsafe because it is maintained by the highway district and he has never seen an emergency/recovery vehicle out there. He offered to pay for striping and signage but the highway district declined his offer because maintaining those things is not in their budget. Mr. Ransom disagrees with staff that he needs a building permit for the 192 square foot structure on his property. The building was moved from his other property and he lived in it while his home was being built. There is another structure on his property that was built by a friend for a living space for his mother although she chose not to live there. He has lived on the property for 20 years and has beautified the neighborhood and built a beautiful place and he is frustrated by his neighbors' comments and said if he could sell and move he would.

The Board took a recess at 2:56 p.m., and went back on the record at 3:09 p.m. Testimony resumed as follows:

Deborah Troncale lives on Goodson Road and she read a letter of opposition from Debbie Perryman, who also lives on Goodson Road, regarding the following concerns: increased traffic and safety issues on the road; the section of roadway near the subject property is not striped nor are there any speed limit signs; there rolling hills obstructing views; it's not a through road and

dead ends at the freeway; there is no available turnaround; guests consuming alcohol at the events and driving in an unfamiliar area; and the disruption to the quiet rural setting. The Board had follow-up questions for Ms. Troncale and for staff.

Daniel Troncale is opposed to the request and his main concerns deal with traffic as the road is very narrow and has drop-offs, and there is no turnaround. The area is rural in nature, the subject property is located directly across from active farm ground.

Quentin Osborne lives on Goodson Road and he is opposed to the request. He addressed concerns with traffic safety and accidents that have occurred in the area. He takes issue with Mr. Ransom's workers cutting down grass on Mr. Osborne's property even when he has told them not to come onto his property.

Rebuttal testimony was provided by Preston Rutter who said this is an emotionally charged matter and the Ransoms have been through a lot as Mr. Ransom is battling cancer. With regard to the parking area, he said there is a natural location for it and it can be expanded to accommodate any parking requirements the Board finds necessary. The main event lights will be dimmed at nighttime, and the hours of operation can be altered if the Board finds it necessary. Regarding the western access (the 15 feet at the bottom), he said the Board could require them to obtain the required width or a variance. There will be a supervisor on property to manage the events. According to Mr. Rutter, none of the Ransoms parcels are listed for sale; one is intended for one of the Ransoms' children. In response to questions from Commissioner Holton regarding a public drinking water system, Mr. Rutter said they will comply with the code/requirements of the health district. Commissioner Holton said he does not like having an application with two nonconforming structures, especially ones that will become public use buildings. Mr. Rutter said they have always maintained that if there needs to be an actual change to become compliant they would welcome that and follow through with it and if there are changes that must be made they will be made. There has been a gap in the understanding of what that is. Planning Supervisor Anderson said they can review potential conditions should the Board approve the request. One addresses a change in occupancy, and any necessary building permits that would be required and that could be a condition of approval prior to commencement of use. Prior to any special events, all structures shall be brought to compliance with building code and it would require fire district requirements be met as well. Planner Root spoke of the initial draft conditions of approval had the P&Z Commission approved the request, as well as the proposed additional conditions that were provided by the applicant to address other mitigating concerns that had not been addressed in the initial application. The Board had follow-up questions for staff as well as Mr. Preston. Discussion ensued.

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

Commissioners Brooks said this area is going residential and the Board has been involved in several actions in the area making it further residential, and this application does not fit a residential area

therefore he is not in support of the application. Commissioner Van Beek said there is a willingness on the part of the applicant to comply, and he has tried to mitigate the concerns that have been raised. This conditional use already exists in this zone and she thinks there is support for saying we permit special event centers in an agricultural zone. How do we make an argument that farm equipment is more or less dangerous than people coming to an event facility? If there is a willingness to bring the road to County standards, the onus is on the applicant to get that last portion so there is ingress/egress that flows in a way that meets the fire district's requirements. We have the opportunity to condition things and we could ask for more information about the 15-foot easement. This property has been an enhancement to the neighborhood and it's unfortunate there is civil conflict. The Board reviewed the following criteria:

1. Is the proposed use permitted in the zone by conditional use permit?
2. What is the nature of the request?
3. Is the proposed use consistent with the comprehensive plan?
4. Will the proposed use be injurious to property in the immediate vicinity and/or change the essential character of the area?
5. Will adequate water, sewer, irrigation, drainage, stormwater drainage, and utility systems, be provided to accommodate the use?
6. Does legal access to the subject property for the development exist or will it exist at the time of development? YES
7. Will there be undue interference with existing or future traffic patterns?
8. Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, EMS, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?

As part of the Board's deliberation, Commissioner Brooks said if the future land use designation is residential and the land use decisions that have been made follow up that residential designation then this request is not consistent with the comprehensive plan. Commissioner Van Beek said the current zoning is agriculture and the comprehensive plan designates it as residential, and it is difficult and when the two are not in alignment. Commissioner Brooks believes the use will be injurious to other properties in the area especially for the person who owns the property that will have a circular driveway encompassing their property if this is approved. Commissioner Van Beek said the burden of proof is not on the Board to obtain the permitting from agencies, that's an obstacle the applicant has to overcome and if they can't then the road would not meet the standard and the application would not move forward. Commissioner Brooks said he doesn't know how you would mitigate for the driveway circling around the neighbor's property and it seems disingenuous to treat this as agriculture and approve it when that is not the direction the area is going due in part to land use decisions made by the Board. Adequate services are not provided, but they could be conditioned. Legal access exists and there could be a condition for the 15 feet on the west. The proposed use will add to the traffic that already exists and will bring an increased volume at specific times. Commissioner Van Beek said special event venues are important and in limited supply and she thought the applicant did a good job in offering mitigating

conditions although the Board could not make positive findings for all of the criteria. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to uphold the P&Z Commission's decision and deny Case No. CU2021-0016-APL. The Board will need to indicate what, if anything, the applicant could do to gain approval. Commissioner Holton wants to continue the hearing to a date certain and pick up that discussion and approve the FCOs. The continued portion of the hearing will occur in the next two weeks to 30 days and that date will be posted on the website and the parties involved will be contacted. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 4:33 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER REQUEST FOR RECONSIDERATION IN CASE NO. AD2023-0110-APL - THE HOAGLAND APPEAL OF THE DIRECTOR'S DECISION DENYING THEIR ADMINISTRATIVE DIVISION

The Board met today at 4:36 p.m. to consider a request for reconsideration in Case No. AD2023-0110-APL, in the matter of the appeal by Cleon Hoagland of the DSD Director's decision which denied his application for an administrative division. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Dan Lister, Interim DSD Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. Commissioner Holton requested the Board go into Executive Session which was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 4:38 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss a personnel matter and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Dan Lister, Interim DSD Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, and Deputy PA Zach Wesley. The Executive Session concluded at 4:50 p.m.

While in open session, Deputy PA Wesley said the Board received a request for reconsideration from Samuel Parry on behalf of the Hoaglands who had filed for an application for an administrative land division and then subsequently filed an appeal of the Director's decision to the Board. The written findings originally indicated that it was subject to the LLUPA judicial review provisions but Deputy PA Wesley believes that language was left in the findings in error and it is not technically appealable to the District Court for review because it's a Director's decision and the final authority is the Board. The question raised by Mr. Parry is one the Board has had the

opportunity to review and go through the record on and in his opinion in reviewing Mr. Parry's concerns and the request, the main thrust of his argument is that the County in its written decision misapplied or didn't apply the right decision criteria. The criteria was correctly noted in the hearing and the Board discussed in making its decision that the same criteria and the factors around it and so Deputy PA Wesley proposes the Board consider issuing an amended decision that would put the correct criteria into the decision and then more succinctly go through the decision criteria and facts the Board relied on in coming to its decision. If those criteria change the Board's opinion on the application then it could potentially hold another hearing or approve the divisions. If the Board has gone through that criteria and come to the same conclusion then we could issue an amended written finding. He has prepared a draft for the latter to discuss today based on his review of the record. Commissioner Van Beek said the Board has been tasked with the request for reconsideration in response to some updated information pulled from the audio record. These are augmented supplemental findings to support the denial of the appeal and they did a good job pointing to areas where if the applicant so chooses to follow what's outlined in there by legal staff that does comply with Title 67 on what they could do to potentially gain approval. The Board has reviewed the draft findings and she is in support of them. She made motion to amend the written findings of facts that were initially presented on September 3, 2024 in Case No. AD2023-0010-APL and to incorporate into the decision the reasons that have been stated in the proposed augmented supplemental findings and to affirm the amended written findings of facts and conclusions of law in the case cited. Commissioner Holton concurred and said this review represents more correctly the Board's deliberation and conclusion. He seconded the motion. Commissioners Van Beek and Holton voted in favor of the motion. Commissioner Brooks was opposed to the motion. The motion carried by a two-to-one split vote. Deputy PA Wesley noted that in the draft document in provided he neglected to attribute the current Clerk to his position so a typographical correction will need to be made and a new draft will be provided. Commissioner Holton authorized staff to utilize his stamp on the corrected document. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 4:57 p.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 15, 2024

No meetings were held this day.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 18, 2024

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- Legends Sports Pub & Grill to be used on 12/7/24 for the Les Schwab x-mas party

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change forms for:

- Tyler McFarland, Inmate Control transfer from Dispatch
- Scott McDonald, move to new PCN – ICAC
- Beaudy Harrington, promotion to Programmer Analyst II

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Emergency Responder Services in the amount of \$16,174.92 for the Fleet department (PO #6177)
- Mountain Home Auto Ranch in the amount of \$80,241.36 for the Fleet department (PO #6176)
- Corwin Ford in the amount of \$85,100.00 for the Fleet department (PO #6175)

DETAILED MINUTES TO COME AT A LATER TIME

Okland / Hummel Presentation on Sheriff's Administration Building - GMP

Action Items:

- Action Item: Consider a resolution granting a new alcoholic beverage license to Walmart, Inc. dba Walmart Fuel Station #4180
- Action Item: Consider a resolution granting a change in application to MCO Idaho LLC dba Mesquite Creek Outfitters

NOVEMBER 2024 TERM

CALDWELL, IDAHO NOVEMBER 19, 2024

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- O'Michael's Pub & Grill to be used on 11/23/24 for the Bresino wedding

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Cynthia Avila, promotion to Juvenile Detention Supervisor I
- Nicole Nieves, Desktop Support Specialist – new hire

- Jaycee A. Aldous, Customer Service Specialist – temporary assignment during December collection season

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- CDW-G in the amount of \$16,855.30 for the Information Technology department (PO #6151)
- Desktop Alert, Inc in the amount of \$6,700.00 for the Information Technology department (PO #6152)
- PDQ in the amount of \$10,082.99 for the Information Technology department (PO #6153)
- WCP in the amount of \$35,280.00 for the Information Technology department (PO #6154)

DETAILED MINUTES TO COME AT A LATER TIME

Meeting with County Attorneys for a Legal Staff Update

- Action Item: Consider Lease Agreement with Norman Family Trust
- Action Item: Consider Notice of Public Meeting to Taxing Districts
- Action Item: Consider Agreement for Development Impact Fee and Capital Improvement Plans with TischlerBise, Inc.
- Action Item: Consider Resolution Authorizing Cancellation of Taxes on Property Transferred to Highway District No. 4
- Action Item: Consider Federal Annual Certification Report and Annual Equitable Sharing Agreement

* Continued to 4:00 p.m. *

DSD GENERAL BUSINESS MEETING

The Board met today at 10:31 a.m. for a DSD general business meeting. Present were: Commissioners Brad Holton and Leslie Van Beek, Interim DSD Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Associate Planner Amber Lewter, DSD Associate Planner Maddy Vander Veen, Constituent Services Director Aaron Williams, Phil Archer and Tayler Tibbitts from Fidelity National Title, COO Greg Rast, and Deputy Clerk Monica Reeves. Interim Director Gibbons said as there have questions as to what a title report provides through the process of evaluating an existing property as to original parcel and the potential for administrative splits, he invited Phil Archer to speak about what the process is and what it costs. Mr. Archer said anytime a report is ordered they do background research back to the last deed of record or the last time they insured, and they issue a provisional policy or commitment of policy that shows all the exceptions that would pertain to that parcel including the legal description and current vested owner. They do not go back to a certain date; they go back to the date of the last original deed so if that deed was not prior to 1979 you would have to ask for an original deed prior to 1979 which is an additional service they can provide. And then the County can compare the legal description from the original

parcel in 1979 of the deed that was last associated there to the new/current deed of record and determine whether they are the same and if they were, then it meets the standards. If it doesn't then there is far more research involved that they could assist in providing the documentation to but they cannot interpret or specify what has changed. They can read a legal description to determine what occurred that made it different but they cannot tell why - they can't tell whether it's a split, adjustment, etc. Any title company can provide a list of all the deeds of record that would show the history of that parcel but beyond that the exceptions do not provide any validity that would say this meets your description under statute unless the statute was amended for some purpose. Interim Director Gibbons said the title report provides the research that DSD utilizes to evaluate against the code, and the title companies can provide information in short order. If we move to have a property owner apply for a request that they will provide this information on, be it a title report or whatever the property information is that's great, but if we do something without a title report that's a burden on the Assessor's Office and Recorder's Office because it may involve searching microfiche records and other sources. This is a more expedient and cost effective way to get the research. Planning Supervisor Carl Anderson said there are two different types of applications: with a zoning inquiry and entitle research component, the intent is to remove the research from staff's due diligence and put that back on the applicant submitting the entitle research application so DSD will request a lot book report be submitted with the application to provide the last deed of record and include the last deed prior to 1979. They will need the vested owner, the current legal description, the legal description prior to our date of record (9/6/1979) and if those two things are different we'll need that change of deeds between those two dates to identify the discrepancies. The lot book with that information would come to staff and they could provide the analysis with the tools and research provided so they could interpret code and if they need to they would engage the County surveyor to provide the mapping service of any additional interpretation needed. The intent is to remove staff's portion of the time on the research end, but they would still have the staff time on the interpretation, but it's anticipated it would greatly reduce time staff involvement. A citizen would come to DSD providing the research and staff will provide the service of interpreting the ordinance and telling them the best path forward. It would be optional. We could require this on the applications in tandem so if someone opts not to DSD would still need to evaluate it and that would be part of the review. The reason DSD is recommending it still be a service they provide is if they remove it, it may increase the number of hearing cases, administrative cases, and applications that someone may not be eligible for, and we could save a lot of time on the frontend. Interim Director Gibbons said every application is different and they are trying to find the most efficient way to provide a service to the community and the property owner and get them where they need to be as best they can. The Board had follow-up questions. Planning Supervisor Anderson said under the current process they could submit a parcel inquiry and apply whether they agree with the parcel inquiry or not, but they would still provide the service if somebody opts in and wants to utilize the service of finding out what the best path forward for them is - with them providing the research component, but staff would still need that information for applications as they are evaluating something for an administrative division.

Projected cost for a title report:

Mr. Archer said a typical lot book report is \$150, but there could be additional deed research depending on what was required. All title companies have digitized the county records, and they can provide the details needed for the application process. They provide similar services to prospective developers and builders throughout the state. Commissioner Holton said the research time should be borne by the applicant not by taxpayers. There was discussion regarding title companies' efforts to digitize county information and the accessibility of that repository of information. Mr. Archer said they have the microfiche from all of the records back to patent when Idaho became a state. Every county is digitizing their records usually through the title companies e-recording database and they are doing that as a service for all the counties they serve, and that information is shared by agreements they have with different title companies. The ease with which they have created a method to extract that data is the part that makes them unique between companies; the other piece is they have an underwriting component. They issue the commitment/information and the escrow company that does the closing component, and they are also the underwriter.

Follow-up discussion ensued including on the topics of the proposed fee schedule notification process, and definition of an original parcel. Interim Director Gibbons said our definition includes an *and* it refers to platted lots and parcel land and we need to change the semantics of the definition to clear up the ambiguity. Commissioner Holton does not want to change the date, he wants to look at changing the clarity of the definition or the wording of original parcel. Commissioner Van Beek agrees. Commissioner Holton said he is appalled by what staff had to do and how we end up being quasi-legal counsel to applicants; he doesn't see a clear path in how to pull the County out of exposure and still provide customer service and while it is straightforward on some properties, that isn't always the case with all properties. Commissioner Van Beek wants to remove the ambiguity and get professionals involved so we don't have interpretations based on a director; you have someone outside looking at that and setting a standard that's more than just one person might want. We need to clear up the ordinances so there isn't ambiguity in interpretation of different sections of the ordinance. Mr. Archer said former Director Minshall reached out and asked him to provide a commitment or title policy that would meet the standard of original parcel, or a parcel. They do not have the ability to interpret legal statute and determine whether property meets or does not meet that statute, all they can do is provide information and that's what they would do, and he hopes no one would be told otherwise. They provide the data to them and the County can make the interpretation on the law. The title company should not be issuing any statute - all they can do is tell people here is what you own. They provide the research data, the rest falls for the County. Commissioner Holton said if we were tracking every hour, the title company can do it far more efficiently than the County can and if there is complexity on a piece of property the cost will go up. It is more cost efficient to go in this direction. As part of next week's DSD meeting, there will be a review of the draft fee schedule and staff will be ready to discuss original parcel definition updates. The meeting concluded at 11:07 a.m. An audio recording is on file in the Commissioners' Office.

DETAILED MINUTES TO FOLLOW

Meeting to consider matters related to Indigent Services

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

PUBLIC HEARING: CONSIDER THE PRELIMINARY PLAT AND AN IRRIGATION AND DRAINAGE PLAN FOR ALYSON MEADOWS SUBDIVISION, CASE NO. SD2021-0039

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Elwin Butler, PE for Cory Swain, CS2, LLC, for approval of a preliminary plat and irrigation and drainage plan for Alyson Meadows Subdivision, Case No. SD2021-0039. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Michelle Barron, DSD Planning Supervisor Carl Anderson, Elwin Butler from Matrix Engineering, Gary Beers, Greg Bullock, Sarah Lawrenson, other interested citizens, and Deputy Clerk Monica Reeves.

Elwin Butler, with Matrix Engineering, testified the plat consists of 18 residential lots with a minimum buildable lot size of 2 acres, with each to be served by individual wells and septic systems. The Linden Street right-of-way will be widened to the required width and includes a 20-foot buffer strip along the frontage of the property. Access will be via private road and they have received approval to use Birchwood Lane. It covers the minimum 26-foot wide requirements of the fire department. Drainage will be along the swales of the private roads and collected into an infiltration swale; the easements are provided on the plat. Irrigation will be pressurized and the irrigation water will be tiled and a head gate will be placed at the head of the cul-de-sac to provide diversion to Rhett's Acres, Pleasant Ridge, and to Alyson Meadows so they can easily control irrigation water. The development compliments the surrounding area of small acreages and all the surrounding properties are rural residential lots with wells and septic. There was a concern about access to Tranquil Road and during the plat reviews they discovered: 1. The frontage of Alyson Meadows that fronts Tranquil Place was not provided an access easement on Rhett's Acres; 2. the turnaround for Tranquil Place was on the Alyson Meadows property; and 3. The irrigation main to Rhett's Acres went across Alyson Meadows without an easement. They have worked with Rhett's Acres to correct these items and they are addressed on the plat. The Caldwell Fire Dept., did not require a second access with the cul-de-sac as designed but having a second access provided to both Rhett's Acres and Alyson Meadows is a win-win for both projects. There was concern about having the access open and the developers have agreed to gate that so that EMS and service vehicles can access irrigation and emergencies and still keep it a non-public use. Tranquil Place and Birchwood Lane will be private roads and will be maintained by the HOA. There was concern from neighbors that they did not want this subdivision to be a city development with streetlights, sidewalks, and utilities. Item No. 6 in the conditions of approval was recommended by the P&Z Commission to waive all city requirements and the developers support this in the fact that these lots are served by their own wells and septic tanks and they are surrounded by rural lots that provide their own utilities. In order for the city to annex this property they have to have a direct line for annexation and without the small properties annexing to the city first they cannot annex Alyson Meadows. If the developers had to put in sewer and water lines in addition to wells and septic it would be 30 years before they could be annexed and those lines would be halfway through their useful life before they would be utilized so the developers support the idea of keeping this a rural development. Following his testimony, Mr. Butler responded to questions from the

Board regarding the road maintenance, ingress/egress, the road users' maintenance agreement, the irrigation system, and accessory dwelling units.

DSD Principal Planner Michelle Barron gave the oral staff report. The development consists of 18 residential lots and 4 common lots, including a private road lot on approximately 40.84 acres. The subject property, parcel number R35590, is located at 0 Linden Road. The property will take access off Linden via new private road, Birchwood Lane. There is an easement that will provide access to irrigation structures for this subdivision and to Rhett's Acres to the east, and it will also be available for a secondary access for emergency services that will remain gated unless needed. The applicant has requested a waiver of the city's requirement to install a 10-inch dry water main and the Board of Commissioners had previously waived the city's recommended requirements to connect to city water services at the time of the rezone. Sewer is not available at this time and the subdivision will be serviced by individual septic systems. The city is requesting some buildout of sewer structures. The property is zoned rural residential and is located in the Caldwell's area of city impact and has a future land use designation of residential estates. On August 15, 2024, the Planning & Zoning Commission recommended approval with conditions, and recommended all of the city's requirements for this plat be waived by the Board. The preliminary plat was approved by Keller & Associates acting as the County engineer, with an updated review by Centurion Engineers on January 8, 2024 with conditions. The City of Caldwell wishes to require the developer to provide funds to construct a forced pressure sewer line from Birchwood Lane to the east boundary of the frontage. The city is requiring the developer to place a 12-inch water main along the frontage of the property for future hookup to the city water after annexation. The Board waived the requirements to connect to city water during the conditional rezone process and made it part of the development agreement. At the time of annexation into the city there will be a transfer of irrigation water rights to the city. The City of Caldwell is requiring ribbon curb and marked walkways on the pavement but that does not include curb and sidewalks. Principal Planner Barron reviewed the conditions of approval, including a potential additional condition that a gate be installed with a lock that is only accessible by emergency services at the property line for the Rhett's Acres Subdivision. It probably needs to be accessible for irrigation purposes as well. Following her report, Principal Planner Barron responded to questions from the Board regarding the City of Caldwell's requirements and future annexation of the property.

Public testimony was offered as follows:

Gary Beers, who lives on West Linden Street directly north of the proposed subdivision, testified that he supports the P&Z Commission's recommendation and requests the Board approve Condition No. 6, which is the waiving of the City of Caldwell requirements. The record includes a neighborhood petition with 22 signatures also in support of the waiver which is in keeping with the rezoning plat requirements previously approved by the Board for Tranquil Place Subdivision located east of Alyson Meadows. He appreciated that during the rezoning hearing for Alyson Meadows, Commissioner Brooks raised a concern about placing city requirements on the Alyson Meadows Subdivision that were not placed on Tranquil Place, and Mr. Beers agrees with that concern. Both subdivisions are in the impact zone and he understands the desire to enhance the area; however, the existing properties already have a rural aesthetic that is enjoyed by current

residents and many have worked in good faith with the developers of Tranquil Place and now Alyson Meadows to support development of the properties in keeping with the current rural residential aesthetic. Mr. Beers testified that he coordinates irrigation with the residents of Birchwood and in partnership with the ditch rider for Pioneer Irrigation.

Greg Bullock testified about his involvement with the Rhett's Acres project and his knowledge of the development on Tranquil Lane. As part of the development he was working on he became acquainted with the neighbors who were opposed to bringing in a new subdivision, but understanding that there would be much higher density with a city development the neighbors supported a rural 2-acre subdivision. He is not surprised that the P&Z Commission recommended denial of the City of Caldwell's requirements because it does not fit the rural area. They needed an easement across the Alyson Meadows property for irrigation purposes, which they granted and they requested that Rhett's Acres give an easement for emergency vehicles only. Neither Rhett's Acres nor those who had lived there for a while wanted the connectivity to another subdivision. The easements are inclusive of maintenance and improvements, and they will put gates at both ends of the emergency areas.

Sarah Lawrenson lives on Tranquil Place at the end of the Rhett's Acres development and her concern deals with the future development connecting to the private road, Tranquil Place. She has submitted a letter for each hearing regarding this development and she does not feel that her concerns have been seriously considered. Tranquil Place is a private road that each lot owner is mutually responsible for the maintenance and upkeep of and they are all tied to the RUMA and it's tied to their deeds. Tranquil Place services 18 possible lots and she wants to know why can't Alyson Meadows simply have a hammerhead like Tranquil Place has or use the cul-de-sac as designed and eliminate all of the concerns for possible extra traffic use and burden on Tranquil Place and those financially responsible for the maintenance. It's not just vehicle traffic, there will also be more people and bicycles, kids, etc. Regarding irrigation, she said when Rhett's Acres was being developed part of the requirement was the irrigation had to go through her property to get irrigation to Rhett's Acres and in doing that there is no easement. In the State of Idaho you do not have to have an easement for irrigation purposes so there doesn't need to be an easement for irrigation for Rhett's Acres to get their water and she doesn't think it needs to have road/vehicle access because people can walk through the nine acres to get to their head gate for Rhett's Acres. Back when she appeared in support of the Rhett's Acres development it was an oversight that the hammerhead area was not property of Rhett's Acres, that it was property of Alyson Meadows and she feels like that was a backdoor deal between the developers and she would have fought harder back then to make sure that was not going to be accessible for this new development. Her concern is that it will increase traffic, people and activity whether there is a locked gate there or not. She would like the connection in between to be removed and Alyson Meadows do the same as Rhett's Acres and have just a hammerhead or the cul-de-sac that is shown as their emergency turnaround. The Board had follow-up questions for Ms. Lawrenson and for staff.

During rebuttal testimony Elwin Butler said if they proceed to meet city annexation requirements, an agreement will be required for each lot that when the city is able to annex they will have to annex and pay annexation and connection fees at that point. Personally, he has a difficult time

with that because if he is putting in a well and septic and has to abandon those and connect to city water/sewer and pay those fees that will be a heavy burden on a rural lot. He addressed the head gate on Tranquil Place and said once the new road is put in with a cul-de-sac it will end by the head gate so it will reduce requirements to service it from Tranquil Place. He said he widened the easement to 60 feet and after objections from neighbors he reduced it to 30 feet, which is what the highway district originally required for that secondary access. It will be gated. He would like the Board to uphold the P&Z Commission's recommendation excluding the city's annexation requirement. In order for a developer to annex they will have to have 40 acres to justify bringing water/sewer, putting in lift stations, and updating easements through properties to do that and with all of the small rural lots it's not practical for annexation to happen.

Principal Planner Barron said when the rezone was approved the development agreement states the application will comply with the proposed conditions of the City of Caldwell Engineering Department and the Director of the City of Caldwell P&Z Department letters, with the exception of the requirement of connecting to the public water system which is waived. If the Board were to waive the other improvements it would be through the decision for the subdivision through the preliminary plat. Planning Supervisor Anderson spoke about the noticing requirement under Canyon County Ordinance Section 09-01-19 that talks about waivers of city of Caldwell ordinance provisions. He response to the request for waiver, the City of Caldwell sent an email dated 11/01/24, stating in part, because of this the city will not waive the condition for requiring the subdivision to be developed under city standards. Those items, 7F and 7G, with the exception of the water component, were part of the development agreement; however, that waiver request would have been part of this subdivision with the preliminary plat as recommended by the P&Z Commission.

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

Commissioner Van Beek likes the proposal for connectivity and future development, and said a 60-foot road could allow for the vacation of residences if there was an emergency. Where the 60-foot easement on the dogleg goes down to 30 feet she would like that brought across all the way to 60 feet. Commissioner Holton agrees. Commissioner Van Beek spoke of her preference to have the road be a public road in terms of maintenance. Commissioner Holton said it would be outside of the scope today to discuss the potential for it to be a public road. There was discussion about limiting secondary residences or additional dwelling units on the properties given their size and the concern for the potential of the project doubling in size. Commissioner Brooks said it is unreasonable to expect this to go from 18 units to 36 units and if we want to plan for this be city in the future why condition it to prevent it from being city-level density by restricting additional dwelling units. Commissioner Van Beek noted that Sarah Lawrenson wants to make sure the gates are installed. The Board reviewed the draft findings of fact and there was discussion about the City of Caldwell being unwilling to waive their requirements. Planning Supervisor Anderson the requirements in the Caldwell ordinance may be waived by the Board of Commissioners; the applicant bears the burden of persuasion in that regard. Those items were listed in the

development agreement that was approved as part of the rezone last year and staff is unclear on how to amend a development agreement through a platting process.

Deputy PA Wesley addressed the question of what is the proper notice to the City of Caldwell using our area of impact waiver. The waiver to the city implies that we have an application for a waiver and that sounds like it's separate than the preliminary plat application. Has the County explicitly told the city that we are considering a waiver and asked for comment, or has it come through the applicant? Planning Supervisor Anderson said we do not have an application in place. Principal Planner Barron said it's her understanding that the applicant has to contact the city and request a waiver. Deputy PA Wesley said it sounds like that has been our process and they have met our regular routine process. Supervisor Anderson said it may be a process we want to look at because it uses the word *application* but that can be informal. Deputy PA Wesley said the development agreement has a condition that says the applicant will comply with the proposed conditions of the City of Caldwell Engineering and the Director of the City of Caldwell P&Z Department letters as seen in Exhibit D, Attachments 7F and 7G, with the exception of a public water system which is waived. If we override the conditions of approval on the development agreement with the preliminary plat someone could later challenge the agreement and say they didn't comply and we would have to go through a process to either amend it or void it so it creates a technical problem for us. If the Board wants to change the development agreement you have an application to amend it that's separate from this preliminary plat application. They should be separate entitlements processes and they should work together and one shouldn't override the other at a later stage is how our system is built, but it could very much depend on what is said in those exhibits because they may say we will follow the City of Caldwell's Engineering and Director of the Caldwell P&Z Department's instructions but those may include the option for a waiver, although he doesn't know since he hasn't seen the letters. Commissioner Brooks asked what in the development agreement the Board is looking to amend? He thought in the decision on the rezone we wholesale waived Caldwell's requirements. Commissioner Holton said we did not. The P&Z Commission wanted to wholesale waive that, but they didn't take into consideration that we have a development agreement on the change in zone. Commissioner Brooks wants to see that because he has no idea why he would make the comment that he is in substantial approval of the application without making it adhere to standards that we didn't make some other subdivision adhere to, but yet we passed it anyways? That doesn't sound right to have subdivision requirements on one but not the other. DSD Planning Supervisor provided clarification on the documents identified as Exhibits 7F and 7G, which are referenced as part of the condition, but he is unable to find those documents in the current record for today's consideration. DSD Principal Planner Barron said they are part of the record but they are referenced as Exhibit 6H and 6I, under Exhibit III. Upon review Commissioner Brooks said the second bullet point states development shall comply with the City of Caldwell subdivision requirements within the City of Caldwell, and he asked if that is saying it needs curb and sidewalk? Because if it is, he cannot believe the Board approved the rezone one year ago with those intact. Commissioner Holton would like DSD and Legal to do some research and give advice to the Board. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to December 2, 2024 at 3:00 p.m. Upon the motion of Commissioner Brooks and the second by

Commissioner Van Beek, the Board voted unanimously to adjourn at 3:44 p.m. An audio recording is on file in the Commissioners' Office.

Action Item: Consider FCO's regarding Amy Mallard's Appeal of the Director's Decision to Grant a Request by Idaho Power to Establish a New Electrical Substation, Case No. AD2024-0046-APL
Event linked to: Public Hearing: Appeal by Amy Mallard of the Director's Decision to Approve a Request by Idaho Power to Establish a New Electrical Substation on 2024-10-17
Click here to view all linked supporting documentation.

Meeting with County Attorneys for a Legal Staff Update
* Continued from 9:00 a.m. *

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 20, 2024

APPROVED CLAIMS

- The Board approved claims 611206 to 611248 in the amount of \$261,290.01
- The Board approved claims 611249 to 611284 in the amount of \$149,098.53
- The Board approved claim 611285 ADV in the amount of \$761.70
- The Board approved claim 611204 in the amount of \$1,124.00
- The Board approved claim 611205 ADV in the amount of \$211.50
- The Board approved the Election claim in the amount of \$58,875.00

APPROVED PURCHASE ORDER

The Board approved the following purchase orders:

- Utility Truck Equipment in the amount of \$130,345.89 for the Solid Waste department (PO #6167)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms:

- Maria Bravo, Court Clerk I – new hire
- Angela Harris, Clerk II – promotion
- Rebecca Snow, Clerk II – promotion

CONSIDER NOTICE OF COOPERATIVE PURCHASE OF A 2025 KENWORTH T480 WATER TRUCK

The Board met today at 11:02 a.m. to consider a notice of cooperative purchase of a 2025 Kenworth T480 Water Truck. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Solid Waste Director David Loper, and Deputy Clerk Jenen Ross. Director Loper said the cost of the truck is approximately \$156,090. This is the truck and chassis portion of the water truck purchase, the Utility Truck Equipment portion, which includes the tank and build-out once the landfill takes ownership of the truck and chassis, has already been executed. The purchase will be made thru the Sourcewell contract. Public comment and consideration of the purchase order execution is scheduled for December 3rd. Mr. Bazzoli noted that today's notice complies with the publishing and noticing requirements. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the notice of cooperative purchase of a 2025 Kenworth T480 water truck. The meeting concluded at 11:08 a.m. and an audio recording is on file in the Commissioners' Office.

CONTINUATION OF PUBLIC HEARING: REQUEST BY DARIN TAYLOR, SUBDIVISION MAKER, LLC, REPRESENTING RYAN AND HEIDI WALKER FOR A CONDITIONAL REZONE OF AN "A" (AGRICULTURAL) ZONE TO "CR-RR" (CONDITIONAL REZONE - RURAL RESIDENTIAL) ZONE, CASE NO. CR2021-0012, AND THE SHORT PLAT FOR EDENBROOK ESTATES SUBDIVISION, CASE NO. SD2021-0057

The Board met today at 1:33 p.m. for a continuation of the public hearing in the matter of request by Darin Taylor, Subdivision Maker, LLC, representing Ryan and Heidi Walker for a conditional rezone of an "A" (Agricultural) Zone to a "CR-RR" (Conditional Rezone - Rural Residential), Case No. CR2021-0012, and the short plat for Edenbrook Estates Subdivision, Case No. SD2021-0057. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Michelle Barron, DSD Planning Supervisor Carl Anderson, Darin Taylor, and Deputy Clerk Monica Reeves. On October 22, 2024, the Board approved the conditional rezone and continued the short plat to today's date in order to allow the developer to work on some items. DSD Principal Planner Barron reviewed the items that were discussed at the underlying hearing noting that the applicant was going to:

- Add an easement for the turnaround off the private road for emergency services on both the preliminary plat and final plat
- Complete the requirements for Black Canyon Irrigation District
- Provide proof of an updated road users' maintenance agreement. (A new agreement has been recorded.)

The updated plats were received last week and are still being reviewed by the County's engineering department so Planner Barron is requesting the hearing be continued to allow time for the engineering department to make sure everything is satisfactory. The in-house engineer is reviewing the plat with the assistance of the engineering firm that Canyon County contracts with and she has assured Planner Barron that it will be completed by this week. Commissioner Holton made a motion to pause this portion of the hearing and continue it to December 3, 2024 at 3:00

p.m. The motion was seconded by Commissioner Brooks and carried unanimously. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn at 1:43 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION REGARDING PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(B) - DEPARTMENT HEAD PERFORMANCE EVALUATION

The Board met today at 3:01 p.m. for executive session regarding personnel matter pursuant to Idaho code, section 74-206 (1)(b) - department head performance evaluation. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, Director of Constituent Services Aaron Williams, COO Greg Rast and Deputy Clerk Jenen Ross.

Prior to entering into the executive session, the Board asked Mr. Williams to provide an update on the APA open house that was held last night. He said the turnout was significant with many people voicing their opinions about this issue. They still need to review the comments received but some of the high-level themes based on conversation included a lack of incentive to use the APA, didn't like that the BOCC has the final say and that the APA commission would only provide a recommendation, and expressed a desire for those actively involved in agriculture to write the ordinance. Mr. Williams and Mr. Gibbons were able to speak with the participants and give an overview on how the process progressed, compliance, and working within the parameters set forth by the state. Several people expressed concern regarding the impact areas, they didn't want that to be a barrier in utilizing the APA; they felt that if property met the criteria of being 5 contiguous acres the APA should be able to be utilized as it's a property right.

Based on a question from Commissioner Brooks, Mr. Williams explained that as the night went on and people were able to read the law and understand how it was incorporated into the ordinance there was a better understanding of why the county is doing this.

Although they did not have a sign-in sheet, Mr. Williams said the people he spoke with represented that they were in agriculture, they were farmers or ranchers. In regard to the 20-year time commitment, some attendees thought the 20 years was too long – Mr. Williams got a sense that people would be more favorable to a 10-year timespan.

In response to a question from Commissioner Van Beek, Mr. Williams said that even though legislators who drafted the ordinance were invited to attend the workshop, there were none in attendance, nor did any political action groups or lobbyists attend. Additionally, Mr. Williams addressed Commissioner Van Beek's secondary questions about attendees having a better understanding once they were able to see the law in comparison to the ordinance, however, they thought there were areas the county was too in the weeds or too restrictive and wondered if there was any workaround; one specific area is the ½ mile radius from impact areas. He said the story map was helpful just due to the complexity of the bill and ordinance.

At approximately 3:12 p.m. Commissioner Holton made a motion to amend the agenda to include an update from Director Williams on the APA open house on the 19th. The motion was seconded by Commissioner Van Beek and carried unanimously.

Mr. Williams said that once the comments are more thoroughly reviewed by himself and Director Gibbons, they will provide a more in-depth update to the Board.

Commissioner Holton asked if there was any member of the Farm Bureau present for the open house last night, Director Williams was unsure but believes there may have been one gentleman.

Commissioner Holton said the BOCC is very interested in what the public has to say at the P&Z meeting happening this Thursday night. He noted for the record that the APA is not the Canyon County Commissioners' idea, this is the legislature's idea and if people have issues with it he suggests they talk with their state legislators. The county is trying to follow the statutes that have been put down, the county was not asked, it was just done. Commissioner Van Beek supported Commissioner Holton's comment and said for those who object to the BOCC, under Idaho State Statute Title 67 for the Land Use Planning Act – that is where land use decisions fall. The Board is elected officials, she feels this is a great board that is interested in long-range planning and development as well as looking at how to preserve what attracts people to this area. To assign that kind of power to a subsidiary group that is not elected by the people, in her opinion, is the wrong move. She would also not want the Idaho State Legislature overstepping into county business where they would be dictating what's happens with a farmer's land. She offered additional comments about generation farming and the dedication it takes from those families.

Commissioner Holton said that for the people listening to the record, he thanks them for trying to participate in government. He said the APA, as they've spoken disparagingly about it, is a one-off at the moment, it has land use rules and guidance that are contrary to the local land use and planning act. Until now, the State of Idaho had been pretty set in how to deal with land use and how you change characteristics of pieces or parcels. This is a one-off anomaly and in his personal opinion, it is half-baked and it is not well thought out. He hopes that the legislature has the fortitude to clarify and correct some of the nuances that they've put into this bill that are outside of the local land use planning act. With that said, he wants it on the record clearly that the consumption of agricultural ground in Canyon County is mostly being done in the municipality areas, not out in the county. He said the public has the right to be mad at the Canyon County Commissioners about land used decisions, but said the facts show the total amount of active agricultural ground that is being consumed for growth is within the municipalities. He asked the public to keep that in mind as the county is going thru this noting that for whatever reason when the legislature made this new statute they included the areas of impact, although he doesn't understand the reasoning about that. He suggested people contact local legislators with concerns regarding the bill, that county government is doing what has been mandated by the state to do. we're doing the best we can with the position that we've been place.

Commissioner Van Beek spoke about how she feels this may be a way to protect farmers from being taken advantage of and that as far as she knows this legislation was targeted exclusively at

counties. She feels the goal is to create areas that don't create a high service call outs in the future, to work together in that effort to create a beautiful county. In her mind, the job of the county commissioners is to ensure that what's being planned for the future is still a good place for kids to live that's safe and has unique features. If there is a land-grab happening, it's happening between the cities for the tax base, so the board is doing their best to hold the line and develop quality areas for people to live.

Commissioner Holton said he hears what Commissioner Van Beek is saying but being involved from a municipality side, he said it isn't about the tax base, it is about the need for growth, the need for housing and Idaho is just in a really unique time where there are multiple surrounding states that people are literally fleeing from and it's messing with the economy, the price of housing and it gives it an artificial bubble that is way high and it concerns him what it will end up doing for the residents that have lived here – what they're going do in the future. He said the growth issue, for the public record, there is growth in in the county, but the major lion share of the growth is within municipalities so this bill is close but no cigar.

In response to a question from Commissioner Van Beek, Mr. Williams said that he's met with the cities of Star and Caldwell and has a meeting scheduled with the City of Middleton to talk about what is happening in those cities and to strengthen the relationship between the cities and the county. Commissioner Holton suggested utilizing Steve Onofrei as a contact resource in the smaller cities.

EXECUTIVE SESSION REGARDING PERSONNEL MATTER PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(B) - DEPARTMENT HEAD PERFORMANCE EVALUATION

Commissioner Van Beek made a motion to go into Executive Session at 3:24 p.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, and the Director of Constituent Services Aaron Williams. The Executive Session concluded at 3:57 p.m. with no decision being called for in open session.

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

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 21, 2024

Commissioners attended the Idaho Association of Counties Fall County Officials Institute

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 22, 2024

Commissioners attended the Idaho Association of Counties Fall County Officials Institute

APPROVED CLAIMS

- The Board approved claims 611366 to 611401 in the amount of \$21,524.56
- The Board approved claims 611286 to 611325 in the amount of \$94,771.45
- The Board approved claims 611787 to 611815 in the amount of \$41,053.21

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 25, 2024

There were no meetings held this day.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 26, 2024

APPROVED CLAIMS

- The Board approved claims 611865 to 611869 in the amount of \$6,371.00
- The Board approved claim 611870 in the amount of \$458.25
- The Board approved claims 611326 to 611365 in the amount of \$135,174.89
- The Board approved claims 611402 to 611443 in the amount of \$76,233.19
- The Board approved claims 611444 to 611482 in the amount of \$634,491.25
- The Board approved claims 611483 to 611514 in the amount of \$23,190.20
- The Board approved claims 611515 to 611543 in the amount of \$58,901.50
- The Board approved claims 611544 to 611786 in the amount of \$89,616.00
- The Board approved claims 611816 to 611864 in the amount \$51,051.21

APPROVED NOVEMBER 29, 2024 PAYROLL

- The Board approved the November 29, 2024 payroll in the amount of \$2,185,294.38

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Crimestoppers in the amount of \$5,820.00 for the Sheriff's Office (PO #6109)

- Coventry Security Equipment in the amount of \$5,623.08 for the Facilities Department (PO #6143)
- Right Systems in the amount of \$18,744.58 for the Information Technology Department (PO #6155)
- SHI in the amount of \$21,855.00 for the Information Technology department (PO #6157)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Terena Wingle, Customer Service Specialist
- Ebony Ferreira, Customer Service Specialist
- Beau Bolinder, Deputy Sheriff - Courts and Transports
- Michael Bruce Mauldin, Deputy Judicial Marshal
- Rachel Holeman, Customer Service Specialist (temporary assignment to Treasurer's Office)

DETAILED MINUTES TO FOLLOW:

LEGAL STAFF UPDATE

ACTION ITEM: CONSIDER SIGNING THE REPLAT OF WHITAKER SUBDIVISION FINAL PLAT, CASE NO. SD2024-0006

The Board met today at 10:31 a.m. to consider signing the replat of Whitaker Subdivision final plat, Case No. SD2024-0006. Present were: Commissioners Brad Holton and Leslie Van Beek, DSD Principal Planner Dan Lister, Zane Laufenberg, COO Greg Rast, Director of Constituent Services Aaron Williams, and Deputy Clerk Monica Reeves. Principal Planner Lister reported on October 7, 2024, the DSD Director approved the minor replat of Whitaker Subdivision where the result is a property boundary adjustment to the property to the south by increasing the lot. The plat meets all requirements and plat contains the appropriate agency signatures. Staff recommends the Board sign the final plat. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign the final plat regarding the minor replat of Whitaker Subdivision, Case No. SD2024-0006 as presented. The meeting concluded at 10:33 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS JUVENILE JUSTICE ANNUAL FINANCIAL REPORT

The Board met today at 11:00 a.m. to consider the Idaho Department of Juvenile Corrections (DJC) Juvenile Justice Annual Financial Report. Present were: Commissioners Brad Holton and Leslie Van Beek, Juvenile Probation Supervisor III Elda Catalano, Juvenile Probation Supervisor II Jose

Orozco, COO Greg Rast, and Deputy Clerk Monica Reeves. Ms. Catalano said the report is prepared by the Auditor's Office and accounts for the sources of funding the department receives for tobacco, lottery, and the juvenile corrections act fund. Of the \$510,047 they received, they spent \$360,271 in personnel and \$128,000 in operating expenses which left them with \$20,907. For the past seven years they have spent every dollar received from the DJC, except this year where there is \$20,907 in unspent tobacco funds. Typically when they have unspent funds they ask DJC to allow them not to refund the money because they want to spend it on the operations of juvenile probation. Ms. Catalano suggests the funds be spent on DocuSign expenses and to update their computer equipment. Commissioners Holton and Van Beek support the request. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign the Idaho Department of Juvenile Corrections Juvenile Justice Annual Financial Report noting that there is a carryforward balance of \$20,907. The meeting concluded at 11:08 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 27, 2024

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- County Line Wine to be used 12/8/24 for the Home Depot Christmas party
- County Line Wine to be used 12/21/24 for the Burrup Wedding
- Liberty Lounge to be used 12/7/24 for a dinner and cocktail tasting
- Liberty Lounge to be used 12/12/24 for the Hannah Thomas Christmas party

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

THE MINUTES OF THE FISCAL TERM OF NOVEMBER 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