

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 9:17 a.m. to consider matters related to indigent services. Present were: Commissioners Leslie Van Beek and Brad Holton, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, Controller Kyle Wilmot and Deputy Clerk Jenen Ross. Ms. George presented the following cases for Board consideration.

Case no. 2024-40: The decedent passed on 9/15/24 at a residence in Canyon County although based on research done by Indigent Services they've spent the past decade living in Ada County and based on information reported to Health and Welfare moved between Ada County and Owyhee counties from 8/14/24 thru 9/15/24. The decedent's son has been contacted but is unable to assist with cremation costs. Commissioner Van Beek said she would like to see the case presented to Ada or Owyhee county and moved to deny as the decedent doesn't qualify as a Canyon County resident. The motion was seconded by Commissioner Holton and carried unanimously.

Case no. 2024-41: The decedent has 3 grown sons who all work making between \$3000 and \$5000 monthly with one of the sons holding Power of Attorney. All of the sons have indicated that they do not have the resources to pay for cremation, although have indicated they've paid for a viewing, additional death certificates and the burial. The decedent has no life insurance, lived in an assisted care facility in Canyon County and was receiving \$1069 in Social Security but generally most of those funds go to the cost of the assisted living facility; the facility has indicated there are no surplus funds. Commissioner Van Beek motioned to deny the case as Canyon County is not the payer of last resort and funds appear to be available. The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 9:27 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas, Deputy P.A. Trent McRae, Emergency Communications Officer Roxanne Wade (left at 9:33 a.m.), Lt. Travis Engle, Family Court Services Manager Chris Paulsen (left at 9:35 a.m.), Director of Indigent Services Yvonne Baker (left at 9:35 a.m.), Case Manager Kellie George (left at 9:35 a.m.), Cpt. Harold Patchett, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, Controller Kyle Wilmot, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider IPSCC Grant Award Document for E911: This is a standard grant acceptance based on application made earlier this year to upgrade the recording system in dispatch. The grant amount awarded is \$31,336.82 with no match. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the IPSCC grant award document for E911 (agreement no. 24-126).

Consider signing independent contractor agreement for court appointment counsel with Shawn Miller and CK Quade Law: These agreements are a result of the switch from County public defense to State public defense as of 10/1/24 and are for adult guardianship hearings. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the independent contractor agreements for court appointment counsel with Shawn Miller (24-127) and CK Quade Law (agreement no. 24-128).

Consider signing ratification for Ada County Sheriff's Office jail housing billing agreement: This is a standard agreement in case of conflict of interest within the jail. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the ratification for Ada County Sheriff's Office jail housing billing agreement (agreement no.24-129).

The meeting concluded at 9:37 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER COMMENTS REGARDING THE INCREASE ADMINISTRATIVE FEES FOR VEHICLE TITLE AND REGISTRATION SERVICES

The Board met today at 9:37 a.m. for a public hearing to consider comments regarding the increased administrative fees for vehicle title and registration services. Present were: Commissioners Leslie Van Beek and Brad Holton, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Trent McRae, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Controller Kyle Wilmot, COO Greg Rast and Deputy Clerk Jenen Ross.

Commissioner Holton opened the hearing to receive public comment regarding the increase to administrative fees for vehicle title and registration fees, however, no one appeared in person to offer comment nor were any received via USPS or email.

Assessor Stender explained these fees should be evaluated annually to accommodate the cost of doing business at the DMV and the increased cost of retaining staff. They are hoping to maintain the current staffing level to continue providing good service and decreased wait times. The vehicle title fee will increase to \$7.00 and the vehicle registration fee will increase to \$12.00. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution to increase the administrative fee charged by the Canyon County Assessor for vehicle registrations to \$12.00 and the resolution increasing the administrative fee charged by the Canyon county Assessor for vehicle title services to \$7.00 (Resolution nos. 24-182 and 24-183).

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

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE, CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE AND TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 9:44 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (e) and (f) regarding records exempt from public disclosure, consider preliminary negotiations involving matters of trade or commerce and to communicate with legal counsel regarding pending/imminently likely litigation. Prior to entering into the executive session, Commissioner Holton closed the public hearing portion of the meeting then seconded the motion. A roll call vote was taken by Commissioner Holton, 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, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Trent McRae, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys and COO Greg Rast. Mr. Stender and Mr. Himes left at 10:01 a.m. The Executive Session concluded at 10:24 a.m. with no decision being called for in open session.

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

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

The Board met today at 2:32 p.m. to consider two action items: Southwest Idaho Juvenile Detention Center and Summit Food Service, Food and Commissary Service Agreement FY2025 Renewal No. 1 and Amendment; the Canyon County Jail and Summit Food Service Food and Commissary Service Agreement FY2025 Renewal No. 1 and Amendment. Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy PA Trent McRae, Juvenile Detention Center Director Sean Brown, Captain Harold Patchett, and Deputy Clerk Monica Reeves. Deputy PA McRae said the agreements look appropriate from Legal's point of view and he noted that this is the smallest increase in pricing available. Captain Patchett said the Sheriff's Office was anticipating a 10% increase and so they were happy to see a 5% increase instead. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign the Southwest Idaho Juvenile Detention Center and Summit Food Service, Food and Commissary Service Agreement FY2025 Renewal No. 1 and Amendment; and the Canyon County Jail and Summit Food Service Food and Commissary Service Agreement FY2025 Renewal No. 1 and Amendment. (Agreement Nos. 24-130 and 24-131.) The meeting concluded at 2:35 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 2, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

CONSIDER CERTIFICATES OF NONCOMPLIANCE

The Board met today at 10:02 a.m. to consider certificates of noncompliance. Present were: Commissioners Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur, DSD Director Sabrina Minshall, and Deputy Clerk Jenen Ross.

Mr. Arthur provided a brief history of each of the properties and the compliance issues.

- 5833 Joe Ln, Nampa (R27957010) – Commissioner Brooks made a motion to approve and file a certificate of noncompliance on the property located at 5833 Joe Ln, Nampa (R27957010). The motion was seconded by Commissioner Holton and carried unanimously.
- 13217 Sand Hollow Rd, Caldwell (R37383) – Commissioner Brooks made a motion approve and file a certificate of noncompliance on the property located at 13217 Sand Hollow Rd, Caldwell (R37383). The motion was seconded by Commissioner Holton and carried unanimously.
- 246 N Robinson, Nampa (R30590011) – Commissioner Holton made a motion to approve the certificate of noncompliance for property located at 246 N Robinson, Nampa (R30590011). The motion was seconded by Commissioner Brooks and carried unanimously.

- 2100 W Orchard Ave, Nampa (R31384010) – Commissioner Holton made a motion to approve the certificate of noncompliance on property located at 2100 W Orchard Ave, Nampa (R31384010). The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:26 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR HAWK VIEW ESTATES, CASE NO. SD2022-0038

The Board met today at 10:26 a.m. to consider the final plat for Hawk View Estates, Case no. SD2022-0038. Present were: Commissioners Brad Holton and Zach Brooks, Director of DSD Sabrina Minshall, Assistant DSD Director Jay Gibbons, Representative for Hawk View Estates, and Deputy Clerk Jenen Ross.

Mr. Gibbons explained that all conditions have been met including those required by BCID and is now ready for Board signatures. Commissioner Brooks made a motion to allow the chairman's signature on the final plat. The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 10:28 a.m. and an audio recording is on file in the Commissioners' Office.

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

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

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

DSD Principal Planner Dan Lister gave the oral staff report. The request is to conditionally rezone a portion of the parcel from an Agricultural Zone and a Neighborhood Commercial Zone to a Conditional Rezone - Service Commercial Zone. A portion of the property is already zoned C-1 and the remainder is zoned Agriculture. The applicant's letter of intent states that due to farming being difficult in the area, traffic, school buses, and surrounding development, a commercial

designation matches the City of Caldwell's future land use plan and the County's Comprehensive Plan and finds that the C-2 zone would provide more flexibility for the uses they want on the property. The 21.84-acre parcel is considered original, there are no structures on the parcel and it has been used in agriculture production. The applicant is requesting a development agreement with conditions prohibiting churches, clinics, hospitals, daycare facilities, mortuaries, crematoriums, and funeral homes, museums, public uses, quasi-public uses, radio, television, and broadcasting stations, schools, and vehicle fueling stations with convenience stores. Principal Planner Lister reviewed the eight (8) findings/criteria that have to be met, and he summarized the staff report analysis. The seven acres along Highway 44 were rezoned C-1 in 2011 as a blanket rezone. The average lot size within the vicinity is 2.71 acres, and the property consists of best suited to moderately suited soils and is considered prime farmland or farmland of statewide importance. There are 30 subdivisions located within a one-mile radius, and the average lot size is 1.73 acres. Future development will require a well and septic systems. Middleton city jurisdiction and services are located over 4,000 feet east of the subject parcel. The property is not located within a nitrate priority area. The parcel has surface water rights, and has frontage on Canyon Lane and Highway 44. Due to the variety of uses allowed in the C-2 zone, trip generation frequency varies dramatically and it is anticipated the rezone change will require a traffic impact study. Principal Planner Lister reviewed the agency and public comments that were received. The applicant did not provide a conceptual plan or a specific use, therefore, impacts on adequate service, surrounding use, character, access, traffic and essential services are unknown. The applicant requests the rezone be first approved and provide flexibility to work with the other agencies prior to commencement of use. Based on existing commercial zones in the area, the transitional character of the area going to residential and some commercial, staff finds the C-1 zone is the most appropriate zone. Since 2011, only two parcels appear to be in commercial use since that time, the rest are either vacant or in residential use. The application does not address the potential uses on the site and how traffic would be handled, adequate services, or what it would do to the surrounding area to where a C.U.P. would be more appropriate when that use is being requested where those impacts could be well vetted. The P&Z Commission recommended denial of the case finding that the burden of proof is upon the applicant to prove that all criteria are satisfied without specific plan or mitigation measures that could adequately address potential impacts to the character, compatibility, services, traffic, and essential services there is not enough evidence to meet the criteria. Staff has provided draft FCO's based on the P&Z Commission's recommendation where in order to gain approval the applicant should consider rezoning to a C-1 zone. The uses they wish to have could go through the C.U.P. process. Following his staff report, Principal Planner Lister responded to questions from the Board regarding allowed public uses and quasi-public uses and zoning in the area.

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

The following people testified in support of the request:

Alan Mills testified that they are attempting to create a home for commercial businesses which would be a boon for the tax base. The County has less than 1% commercial zoning and it's a complete imbalance. He spoke of the commercial businesses in the area that include a well drilling business, a concrete staging yard, and a machinery sales yard to name a few. The County has identified the Highway 44 corridor as future commercial and said if they have to be adjacent to C-2 zoning in order to get C-2 zoning there won't be any in the County because there is very little of it out there. The trend along the corridor is commercial, not residential. Mr. Mills said they contemplated rezoning 14 acres on South Hartley to C-2, but the City of Middleton said the property was too valuable for that type of use and the applicant agreed. Today there is a Maverik store being constructed on the property. Mr. Mills read a letter of support into the record from Mike Okamura, whose home is 100 yards from the subject property, and he stated he would prefer the property be zoned C-2 rather than see it turned into a housing development. The Western Alliance for Economic Development submitted a letter of support for the rezone to C-2 for commercial use citing the difficulties in attracting business and industry to properties that are not previously zoned. Industry is not interested in having to pursue the process or the cost on their own for commercial zoning. Mr. Mills said we cannot tell potential businesses they have to wait 2 ½ years for an answer. He gave examples of uses in the area and spoke about how when ITD widens Highway 44 it will wipe out an existing business and it would be nice for that business to have an option down the road in the same service area to relocate but he cannot afford to wait 2½ years to move his business if he has to move. He said there seems to be fear from staff and the P&Z Commission that something negative could go in on the property without a specific use being determined. There is no one who has more desire and interest in making this a nice compatible and beneficial project than Mr. Payne and he fully understands that his value needs protected from undesirable conditions. They have limited the uses to remove some the possibilities of something negative and they offer the following solution to concerns: Mr. Payne will restrict the northern C-2 seven acres to ministorage, RV storage, and public and quasi-public uses only. This will buffer the rural residential properties to the north and use the landscape of trees and ditches above the Payne property. The seven acres that front Highway 44 will stay C-1, and the middle 7 acres will be zoned C-2 with the restrictions. Mr. Mills reviewed the uses that would be allowed and the ones that would not be allowed and stated the applicant will comply with all agency requirements. Following his testimony, Mr. Mills responded to questions from the Board.

Commissioner Brooks asked if the "7-7-7 plan" was proposed to the P&Z Commission. Mr. Mills said it was not. The applicant made the change after receiving feedback, and said they should have realized from the beginning that C-1 is entirely appropriate for that frontage on Highway 44. Those kinds of businesses want that signage, frontage, and exposure, but the type of businesses they are contemplating for the back are more of a destination business. Commissioner Brooks said the Board has established a policy of sending cases with substantial changes back to the P&Z Commission. Commissioner Holton agreed and said this is a game changer compared to having the C-2 zoning abut existing residential. He is concerned about the precedent it would set. Commissioner Van Beek sees both sides and spoke about the lag time and the zoning designation for the corridor along Highway 44. Commissioner Brooks said if the Board is going to remand an application that has a substantial change it should not enter into deliberation before it gets sent

back to be evaluated for what the change is. Commissioner Van Beek asked staff if the Board could condition the application if it wanted to move forward with an approval? Principal Planner Lister said staff has not received this information so it has not been analyzed. The Board could table it and request staff to bring back information and do another noticing and then staff could review it based upon the new information, but what the Board has been consistently doing is remanding cases back to the P&Z Commission for recommendation on the new information. The Board could proceed and consider the case as-is and see if it wants to approve it and then have the applicant reapply. This has been in process since 2022 and remanding it back would require a new staff report and more noticing and those things are not covered under the cost of the permit. Deputy PA Zach Wesley said it's a material change and staff has not had time to analyze the new plan. Commissioner Holton said he likes the material change, but he wants to make sure it's handled correctly. Commissioner Brooks said he is not comfortable moving forward and he wants to remain consistent and send it back to the P&Z Commission so they can evaluate it with what's been presented thus far. Deputy PA Wesley said the new procedure that the Board has been using has been built in the County's ordinance; Article 1, Chapter 17 of the code that has these revamped provisions would allow the Board in a situation like this where there has been substantial additions, amendments, or modifications to the application to be remanded to the P&Z Commission or Hearing Examiner as the case may be. This is the sort of situation that that code was intended to be used for. Commissioner Holton would like the most expedient path forward for the applicant, and he doesn't want to spend all of his P&Z resources on one application when the application morphs. He would like to remand it back to the P&Z Commission. Commissioner Brooks agreed and said at tomorrow's workshop they can discuss the concerns about this process maybe needing to be further evaluated so that applications do not get caught in a loop. Commissioner Van Beek said the City of Middleton and Canyon County need some of this zoning designation, and it is complicated further by the ordinance that was passed which does nothing to attract businesses. She likes the applicant's new idea for the "7-7-7 plan." There was discussion regarding staff's role in analyzing the new information, the notification process, and a potential hearing schedule. Commissioner Holton said they are lowering the intensity of use to C-1 in some areas and keeping the C-2 in the middle so he doesn't see a large change for the noticing. Commissioner Brooks said based on what the agencies have already provided he doesn't believe it's necessary to re-send a notice. He wants to know if the applicant's representative wants the Board to continue down this path or ignore what he just put on the record for his intent for the application. Mr. Mills said they want to do this correctly and as long as it can be done in a fairly expedient timeframe that would be acceptable.

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

Commissioner Holton said the Board wants to remand the case to the P&Z Commission because they did not have the opportunity to look at the C-1 zoning on the highway frontage, the C-2 zoning on the middle seven acres, and the C-1 zoning on the northern portion. Mr. Mills said that is acceptable as long as it's expedited and they don't have to start over. DSD Planning Supervisor Carl Anderson said with an addendum to the staff report for the P&Z Commission with what has been received today and assuming they do not receive additional information between now and the potential P&Z Commission hearing which would also require analysis, he believes the second

hearing could be on November 21. One agency notice in conjunction with the public hearing. That assumes staff is not receiving additional information than what was provided today. Principal Planner Lister referred to the late Exhibit #12 which is the amended request and the letters that Mr. Mills stated into the record. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to accept Exhibit #12 into the record. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to remand Case No. CR2022-0007 to the P&Z Commission with a date of November 21, 2024 provided the material change stated today is the only change. If there is additional information the hearing date cannot yet be projected. The hearing concluded at 2:41 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 3, 2024

APPROVED OCTOBER 4, 2024 PAYROLL

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

ADMINISTRATIVE MEMOS

COO Rast filed administrative memos on the following:

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

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. Laura Keys, Health Plan Trustees Martin Flores, Jennifer Loutzenhiser, Jennifer Watters, Deb Smart, Yvonne Baker (left at 9:38 a.m.), HR Director Marty Danner (left at 9:38 a.m.), Controller Kyle Wilmot (left at 9:38 a.m.), COO Greg Rast, Director of Constituent Services Aaron Williams (arrived at 9:32 a.m. and left at 9:39 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Notice of Intent to Award Contract for Employee Benefit Brokerage and Consulting Services RFP: Director Danner spoke about the process that has been followed for this RFP and following a review of the submissions and presentations the Health Trustee Board is recommending Gallagher Benefit Services. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the notice of intent to award contract for employee benefit brokerage and consulting services RFP to Gallagher. Mr. Wesley presented a letter for Board signatures to be sent to all submitters and then contract negotiations can begin.

Consider signing Administrative Services Agreement between GemPlan and Blue Cross of Idaho Health Service, Inc.: Mr. Wesley explained this is provided by Blue Cross and GemPlan with a request for updating and signatures as a separate member of the GemPlan with a trust board. This is largely the same agreement as in the past with a few updates to law changes, prescription drug reporting, and the no-surprise act. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the administrative services agreement between GemPlan and Blue Cross of Idaho Health Service, Inc. (see agreement no. 24-132).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:39 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, and COO Greg Rast. The Executive Session concluded at 10:00 a.m. with no decision being called for in open session.

The meeting concluded at 10:01 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 10:32 a.m. for a DSD general business meeting. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Dan Lister, COO Greg Rast, Constituent Services Director Aaron Williams, and Deputy Clerk Monica Reeves. Chief Civil Deputy PA Aaron Bazzoli arrived at 11:40 a.m.

Director Minshall said she planned to give examples of what was discussed at the October 1st meeting regarding administrative land divisions, nonviable, and building permit relocations. Part of the challenge is based upon how the administrative land use code reads and how it's changed over time. One of the ways for staff to get to a good comprehensive plan scope and approach with the ordinances is to explain in detail the part of the code the Board doesn't always see unless it is part of an appeal. At yesterday's land use hearing the Board had commentary and she wants to revisit the land use hearing ordinances and discuss how that works, what the intent is, and how it is or isn't working with remands, re-noticing, and what the options are when the Board receives new or substantially new information.

There was review and discussion regarding Article 17, Chapter 1 that was adopted in the spring of 2024

- Ability to remand, 01-17-11
- Language about the record and materials deadline
 - Need to update the hearing script

If the Board remands a case to the P&Z Commission, where does it fall in the line for service and what is the fee? Director Minshall said we do not have a fee for remand and re-noticing, however, it was contemplated knowing we would have a fee update. Unless it was our procedural mistake there would be a fee to remand it and there would be renotification fees. In the proposed fee schedule, which will be set for public hearing soon, it has a remand fee that covers the time and the meeting and a fee for re-noticing will be charged. Planning Supervisor Anderson said the timeline will be determined by whether the record is incomplete or the application has had substantial additions, amendments or modifications. Yesterday's hearing could be heard in December, but it will depend on how many applications are in the queue for those meeting dates that have staff reports drafted and the nature of the material change and the reason for the remand and what analysis is needed. Commissioner Van Beek asked if the goal is to be completely aligned every time with the P&Z Commission, and are there any thoughts on a proposal that could have passed with that consideration as opposed to sending it back for review again? Commissioner Holton doesn't want to refer to yesterday's case. The burden of proof is always on the applicant and for whatever reason in the past it became normal procedure for an applicant to raise the flag at P&Z Commission, get knowledge about their shortcomings and somehow morph that to the concerns raised at the P&Z Commission hearing and then presenting to the Board. If the application is flawed it needs to go back to P&Z Commission; applicants should not be meeting with the Board knowing they have shortcomings and want to modify it between the P&Z

Commission hearing and the Board's hearing. He does not care if a material change messes with an applicant's timeframe or fee; this is not about a specific application, it's about procedure and the burden of proof is on the applicant. Commissioner Brooks said the Board should be able to reserve the right to ignore the material change and adjudicate the application as it has been presented. Giving the option to remand a case is to the benefit of the applicant. Director Minshall said the Board has options and there are pros and cons to each option. We did not intentionally define what does it mean by substantial additions, amendments, or modifications because there is interpretation of that. We have seen the reality of negotiation between the applicant and the Board and part of that recognition is whatever may have been a substantial change was not evaluated against the criteria by staff from a technical standpoint in addition to it not being evaluated by the P&Z Commission. When it could be beneficial is if something is coming up or it's something that a condition could be written about that it does address the way the FCO's were written, or the way the P&Z Commission said the applicant could do something. There is flexibility and maybe it doesn't have to be remanded. The con side on a remand is looping staff time, P&Z Commission time, and the Board's time. There were further comments on:

- Timeline for submission of materials
- Burdensome on time and financial perspective
- The Board could take the application on its merits and approve or deny it.
- Is it truly a substantial amendment, or is it different enough that it's starting to look like a new application
- A remand fee will not cover all that work. It's a case-by-case.

(COO Rast left at 10:55 a.m.)

Director Minshall said we are collectively changing our expectations of the quality and thoroughness of applications and it's clear the burden is on the applicant. A contributing factor is to help retrain staff, applicants, and the P&Z Commission that staff's not making the case or continuing to dig deep to try to find things to help make affirmative findings. Staff will provide technical information based upon what the applicant has provided, appropriate comments from agencies, staff will continue to limit and be tighter of sending a letter to the applicant saying what is missing from the findings by a deadline. The Board will continue to get a technical memo that addresses the criteria and will hear the P&Z Commission's recommendation, and there are still things that will come up at a hearing or the Board may see things differently and that's okay. Sometimes the Board can condition things in ways that will solve that. Staff is adjusting to understand the rules to be very clear with the applicants that it's their job including having them present first at hearings. The Board will see applications that are missing ways to be able to meet the criteria because they were messy applications that were not thorough and staff is just moving them through. There will have to be some discretion to say we are not sifting back through the process as a reward because the applicant did not provide the information three months ago when staff asked for it. The Board has options based upon the context of what the information is, and staff is going to be very clear on what their role is. Commissioner Van Beek said she doesn't like it when there are suggestions on how the applicant could get approval. Director Minshall said as

part of the local land use planning act, we have to say what could someone do to gain approval, but it's not a guarantee. In fairness to applicants, staff may say here are proposed conditions, and make recommendations, but the applicant can bring that up to the P&Z Commission but it's a red flag if they bring up a new condition at the Board's hearing. Planning Supervisor Anderson said staff's role is the analyst of the application and they need to evaluate it against the ordinance, weigh agency comments and additional information that comes in and as we make findings it's important that we are grounding what we are seeing against the ordinance on evidence. There is a second tier for new comments provided. Staff will continue to provide options for the Board but they will remain unbiased.

Commissioner Holton wants to remove the language from the hearing guidelines with regard to a group spokesperson because there is no documentation for it and there is no way to vet the validity of it. He also wants the applicant to present their case first, not staff. He doesn't think the current process works well and he has been challenged by other counties who read the names of those who wish to testify in the order of how they have signed up (rather than by whether someone is in favor, opposition, or neutral). Director Minshall said the staff report can be presented at any time at the Board's discretion. DSD had planned to start that in November with the P&Z Commission at the point staff also doesn't bring back FCO's at the beginning. Planning Supervisor Anderson is implementing a letter to the applicants saying here are the expectations and material deadlines, and letting them know they will be presenting first. If we want to change the order we need to change the section of the ordinance on the conduct of hearing section. She will look in chapter 7 versus chapter 1 if it is explicit about a representative; it was in the P&Z Commission bylaws so it's being removed from the bylaws but she doesn't think there is any requirement for the Board to do that. She will re-write the Board's hearing script because currently it does not match chapter 1. Commissioner Holton wants to have suggested FCO's in the hearing packet. Commissioner Van Beek agrees with the suggested changes. Further discussion ensued on this topic and there will be feedback when the Board sees the new staff report format. Planning Supervisor Anderson said it reduces the amount of documents and iterations staff are working through and when that item comes to the Board there will be a staff report with the analysis as compared against the conditions; a set of findings of fact from the P&Z Commission recommendation; and the addendum summarizing any new information. After public testimony and deliberation staff will build a set of FCO's for the Board's decision. Commissioner Holton said it would be helpful to see what DSD has requested from the applicant and what is incomplete, and he wants to see a "cheat sheet" on agencies responses to see who has not responded. Director Minshall said she will make it a top priority to update the land use hearing procedures as per today's discussion and she will follow up with Legal on proposed edits. She said Chief Civil Deputy PA Aaron Bazzoli may come to the meeting later this morning for an Executive Session to discuss the APA ordinance.

Principal Planner Dan Lister gave a PowerPoint presentation on traditional administrative divisions, nonviable, agricultural viable, and building permit transfers. (A copy is included with today's minute entry.) On October 1st there was a review of the code behind the land division purpose and process, what the divisions are available in the agricultural zone. Today he reviewed examples of land divisions DSD is seeing in land use applications per sections 07-18-07 and 07-18-09, 07-

18-11. (See PowerPoint slides for the examples.) Commissioner Holton wants the staff report to include whether a parcel has been enjoying an agricultural exemption and for how long. There are several land developers who have land with preliminary plats and they are now active agriculture. Planner Lister said these are the things staff is looking at to understand what is nonviable and to try to get more information to make sure it meets the code and the Board is starting to see some of the extra evidence staff is now asking for. Commissioner Van Beek wants to review the ordinance's allowance of secondary dwellings. They become problematic because if they are allowed on a parcel that is less than two acres and if the property owner no longer wants that, in a lot of instances it doesn't meet the County standard and people beat up on the Board because it won't approve something that doesn't meet the land requirement for sewer and water. She wants to look at potentially removing that allowance. Director Minshall said the team will meet next Thursday and continue this conversation. The ultimate question for the Board is what are some of the things we want to achieve? There are very different ways to address these needs without using the type of code we already have.

Aaron Bazzoli arrived at 11:40 a.m. Planner Lister and Planning Supervisor Anderson left at 11:43 a.m. Director Minshall said she has a DSD issue related to Legal and Constituent Affairs that would be appropriate for Executive Session.

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

Commissioner Van Beek made a motion to go into Executive Session at 11:44 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) records exempt from public disclosure, and to communicate with the County's 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 Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Constituent Services Director Aaron Williams, and Chief Civil Deputy PA Aaron Bazzoli. The Executive Session concluded at 12:01 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.

ACTION ITEM: CONSIDER A RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO
POST NO. 18 THE AMERICAN LEGION

The Board met today at 3:33 p.m. to consider a resolution granting a new alcoholic beverage license to Post No. 18 The American Legion. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Controller Kyle Wilmot, HR Director Marty Danner, COO Greg Rast, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Holton and the second by

Commissioner Brooks, the Board voted unanimously to approve the resolution granting a new alcoholic beverage license for American Legion Joseph H. Murray Post 18, dba Post No. 18 The American Legion. (Resolution No. 24-184.) The meeting concluded at 3:34 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 1:30 p.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 to the Board for consideration:

Case no. 2024-42: This came as a request from Ada County; the Ada County Coroner contacted the Canyon County Treasurer for possible public administration. Following the investigation done by Indigent Services it was determined that the decedent was a resident of Canyon County, there are insufficient resources for burial and they meet eligibility criteria for county assistance. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the case for cremation.

Case no. 2024-43: This application was submitted by a funeral home as an abandoned body. Following the Indigent Service investigation, it was determined there are insufficient assets and the decedent meets the eligibility criteria for county assistance. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the case as presented.

The meeting concluded at 1:35 p.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206 (1) (D) AND (F), RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 2:02 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley, Clerk Rick Hogaboam, Controller Kyle Wilmot, Facilities Director Rick Britton, Sheriff Kieran Donahue, Cpt. Harold Patchett, Director of Constituent Services Aaron Williams, and COO Greg Rast. The Executive Session concluded at 3:16 p.m. with no decision being called for in open session.

ACTION ITEM: CONSIDER SIGNING LETTERS OF ENGAGEMENT WITH LANGSTON & ASSOCIATES

The Board met today at 3:34 p.m. to consider signing letters of engagement with Langston & Associates to conduct two independent appraisals; one for property located at 22108 Pond Lane & 15552 Highway 20 in Caldwell, and at 916 Albany Street, in Caldwell. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Controller Kyle Wilmot, HR Director Marty Danner, COO Greg Rast, and Deputy Clerk Monica Reeves. COO Rast offered brief comments on the letters of engagement and said the cost of each is \$4,500. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the letters of engagement with Langston & Associates for appraisals on property located at 916 Albany as well as 22108 Pond Lane and 15552 Highway 20 in Caldwell. COO Rast recommends the \$9,000 cost be paid with ARPA funds. Controller Kyle Wilmot said it would be similar to an earlier transaction when the County purchased the Poly Farm property. The Board agrees. The meeting concluded at 3:36 p.m. An audio recording is on file in the Commissioners' Office.

DISCUSS ADP PERFORMANCE MANAGEMENT AND COSTS

The Board met today at 3:37 p.m. to discuss ADP Performance Management and Costs. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, HR Director Marty Danner and COO Greg Rast. Director Danner would like to add recruiting and performance management to our current core system with ADP but it's an additional cost \$46,000, which is expensive and therefore she does not recommend it. We are already paying \$201,000 for the basic service of payroll, onboarding, and benefits and she is confident we can get something else that would manage all of our needs and provide better customer support. She recommends the Board sign with JobScore, (the current ATS system where we post jobs), for one more year and then do an RFP for an entirely new system where we can have everything we need in one core system. She spoke with a representative from Day Force who works with multiple agencies in Washington and they are able to do customized reports and she thinks they would be willing to do customization of reports if we give them the parameters. As it relates to performance management she is confident she can create something we can standardize for FY25 that will help gauge merit for FY26 that can stand alone outside of ADP and it will work for this year until we can get a new system. Controller Wilmot said the Auditor's Office and HR will work together on the RFP. Commissioner Van Beek said we are piecemealing a number of factors together and even with JobScore we cannot utilize that system the way we want to and she asked if Director Danner will be looking to replace that when we go out for an RFP. Director Danner said she would; there are good systems that are used from hire to retire and they are better and less expensive than what we are using. There was discussion regarding compensation and the COLA for FY25. Director Danner needs guidance on temporary employees specifically those in the Elections Office and the Parks Department who are seasonal employees and are they eligible for the COLA? COO Rast said this year there was the expectation that the 2.5% COLA would be put into part-time because it's a nominal value; he believes the seasonal employees qualify for it. Director Danner said we had set a date that anyone hired after August 1st was not eligible for the COLA this year, but some of the temporary employees in Elections returned to work prior to August 1st and some came back after that date so she would like all temporary employees across the board to get the COLA no matter what their return date was. She also said the Board saw those numbers as they were already

factored into the spreadsheet previously submitted. The Board agreed. COO Rast requested the Board go into Executive Session pursuant to Idaho Code, Section 74-206(1) (b) and (d).

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 3:51 p.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, COO Greg Rast, and HR Director Marty Danner. The Executive Session concluded at 4:47 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.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 4, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

CONSIDER COUNTY CLERK’S NOTICE OF PROVISIONAL PLANNING FOR CONTINGENT POLLING LOCATIONS

The Board met today at 10:04 a.m. to consider the Clerk’s Notice of Provisional planning for contingent polling locations. Present were: Commissioner Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Elections Office Manager Haley Hicks, Temporary Elections Specialist Trina Harrell, Controller Kyle Wilmot, Director of Court Operations Jess Urresti, Director of Court Operations Aaron Williams, EOM Christine Wendelsdorf, and Deputy Clerk Jenen Ross.

Clerk Hogaboam explained that today is the last day by statute to identify polling locations, however, it is not entirely clear on how contingent locations should be handled. The Prosecutor’s Office thought it would be beneficial to make a record that there are locations that have been identified as potential back-up locations if the need arises. Additionally, Clerk Hogaboam spoke about the memo provided to the Board, protocols for additional law enforcement, IT security, and logistics of standing up a contingent polling location.

Discussion ensued regarding Commissioner Holton's frustration with the federal government and the support and logistics of ongoing engagement with area agencies (school districts, fire houses, etc.) for contingent polling locations.

Commissioner Brooks moved that the Board of County Commissioners affirms the back-up emergency polling location dispatch readiness memo as prepared and presented by Clerk Hogaboam and that the Board continue to support his intent for a secure election and to protect poll workers and citizens should the need arise from whatever event takes place. The motion was seconded by Commissioner Holton and carried unanimously.

Commissioner Holton noted that Commissioner Van Beek has read the provided memo and is in full support, and with confirmation from Commissioner Brooks it was noted for the record that her signature stamp will be used on the memo.

The meeting concluded at 10:31 a.m. and an audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 8, 2024

APPROVED CLAIMS

- The Board has approved claims 609851 to 609870 in the amount of \$18,382.53
- The Board has approved claims 609871 to 609895 in the amount of \$37,402.31
- The Board has approved claims 609896 to 609908 in the amount of \$32,931.33
- The Board has approved claim 609909 to 609932 in the amount of \$20,068.94
- The Board has approved claims 609933 to 609974 in the amount of \$100,039.66
- The Board has approved claims 609975 to 610009 in the amount of \$31,809.37
- The Board has approved claims 610010 to 610041 in the amount of \$92,390.22
- The Board has approved claims 610042 to 610064 in the amount of \$14,773.73
- The Board has approved claims 610065 to 610097 in the amount of \$20,535.50
- The Board has approved claims 610098 to 610108 in the amount of \$5,767.55
- The Board has approved claims 610109 to 610128 in the amount of \$34,478.09
- The Board has approved claims 610129 to 610166 in the amount of \$79,821.67
- The Board has approved claims 610167 to 610203 in the amount of \$59,708.75
- The Board has approved claims 610204 to 610239 in the amount of \$243,551.23
- The Board has approved claims 610260 to 610268 in the amount of \$29,656.00
- The Board has approved claims 610241 to 610259 in the amount of \$375,029.64
- The Board has approved claims 610269 to 610270 in the amount of \$84,657.81
- The Board has approved claims 610271 to 610307 in the amount of \$127,868.44

- The Board has approved claims 610308 to 610337 in the amount of \$182,992.56
- The Board has approved claim 610338 in the amount of \$515.09

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

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 to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Commissioner Zach Brooks (arrived at 9:36 a.m.), 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, HR Director Marty Danner (left at 9:54 a.m.), Controller Kyle Wilmot (left at 9:54 a.m.), Family Court Services Manager Chris Paulsen (left at 9:35 a.m.), Director of Indigent Services Yvonne Baker (left at 9:35 a.m.), CCAD Director Michael Stowell (left at 9:41 a.m.), Facilities Director Rick Britton (left at 9:41 a.m.), GIS Supervisor Tony Almeida (left at 9:49 a.m.), DSD Planning Supervisor Carl Anderson (left at 9:49 a.m.), COO Greg Rast, Realtor Norm Brown (left at 10:05 a.m.), and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Independent Contractor Agreement for Court Appointment Counsel with Bethany Harder:

Mr. Klaas explained this contract is related to State Public Defense for adult guardianship moving from the county to the state. Commissioner Van Beek made a motion to sign the independent contractor agreement for court appointment counsel with Bethany Harder. The motion was seconded by Commissioner Holton and carried unanimously (see agreement no. 24-133).

Consider Legal Notice of Entering into Personal Services Contract with Ali Perkins, Jolene Maloney, Krista Howard, Joshua Taylor, Jeff Nielson, Bethany Harder, Rondee Blessing, Shawn Miller, and CK

Quade Law: Since the contracts could potentially go over \$30,000 within the year this notice is a precautionary measure. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the legal notice of entering into personal services contracts as enumerated.

Consider Letter Regarding Facilities Services at the Ambulance District Building:

Mr. McRae said legal has reviewed this contract. Mr. Rast explained this is a cost savings measure for the ambulance district to use the county in-house maintenance department for HVAC systems, housekeeping, snow removal, and groundskeeping. The contract is for approximately \$32,000 which simply covers county costs, it is not revenue generating. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the letter regarding facilities services at the Ambulance District building. A copy of this letter is on file with this day's minutes.

Consider Memorandum of Understanding FY2024 Orthophotography Project for Ada and Canyon Counties: Mr. Rast explained that there are currently two companies providing flight data – COMPASS and EagleView Pictometry which is used by the Assessor’s Office. He would like to speak more with DSD as they are the only Office/department left continuing to use COMPASS data. With EagleView, the Assessor’s Office has negotiated more flights with the data generated being used by Elections, Assessor, Sheriff, IT, Weed and Pest, Facilities, and Parks. Although this is a budgeted expenditure, Mr. Rast’s concern is the overload on the ESRI system. At this time the Board has decided not to take action. Commissioner Holton made a motion to reschedule this action item to a date uncertain in order to obtain additional information. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider Resolution Approving Employee Appreciation Time: Mr. Bazzoli said this had been previously discussed and approved, however, legal has changed this from a memo form to a resolution to be consistent with previous years. 16 total hours of appreciation time will be allotted for the day after Thanksgiving and the day after Christmas for most employees. For those departments or Offices that cannot close during those days, employees will work with their EO/Director to use those hours at alternate times. The allotted 16 hours must be used within the fiscal year. Upon the motion of Commissioner Van Beek and second by Commission Brooks the Board voted unanimously to sign the resolution approving employee appreciation time (resolution no. 24-186).

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

EXECUTIVE SESSION – 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 9:54 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (f) regarding 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, Deputy P.A. Trent McRae, Deputy P.A. Laura Keys, COO Greg Rast, and Realtor Norm Brown (left at 10:05 a.m.). The Executive Session concluded at 10:29 a.m. with no decision being called for in open session.

PUBLIC HEARING FOR BUDGETING OF UNSCHEDULED REVENUE, GRANTS OR DONATIONS FROM FEDERAL, STATE OR LOCAL GOVERNMENTS OR PRIVATE SOURCES AND BUDGET ADJUSTMENTS PURSUANT TO IDAHO CODE 31-1605 FOR FISCAL YEAR 2024

The Board met today at 11:01 a.m. to conduct a public hearing for budgeting of unscheduled revenue, grants or donations from federal, state or local governments or private sources and budget adjustments pursuant to Idaho Code 31-1605 for fiscal year 2024. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Cpt. Harold Patchett, CCSO Financial Manager David Ivers, COO Greg Rast, and Deputy Clerk Jenen Ross.

No one appeared to offer comment and there were no comments received via USPS or email. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to close the public hearing. The action items were considered as follows:

Resolution adjusting the fiscal year 2024 budget pursuant to Idaho Code 31-1605: Controller Wilmot reviewed the budget amendments as follows:

	FY 2024 Approved Budget	FY 2024 Budget Adjustment	FY 2024 Amended Budget
<u>Justice Fund Revenues</u>			
Field Services	\$2,482,135	\$818,442	\$3,300,577
Total County Revenues	\$153,360,431	\$818,442	\$154,178,873
<u>Current Expense Fund Expenditures</u>			
Emergency Management	\$304,515	\$100,000	\$404,515
<u>Justice Fund Expenditures</u>			
CCNU	\$74,100	\$45,892	\$119,992
Public Defender	\$7,637,837	\$319,461	\$7,957,298
Field Services	\$14,900,020	\$375,582	\$15,275,602
Total County Expenses	\$165,988,673	\$840,935	\$166,829,608

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the resolution adjusting the fiscal year 2024 budget pursuant to Idaho Code 31-1605 (resolution no. 24-187).

Fiscal year 2024 operating transfers and reimbursements: Controller Wilmot explained this traditionally happens at the end of the fiscal year. There is an operating transfer that needs to occur from the Solid Waste Enterprise fund for services provided by the County to the Landfill. The amount to be transferred is 20% of the revenue which is \$1,481,315 into current expense. Funds will also be transferred to Parks for maintenance of Jubilee Park and to the Sheriff’s Office for the Landfill Inmate Labor Detail program. Funds will be moved from Juvenile Probation – Cigarette Tax to the Juvenile Detent Center and the Juvenile Drug Court. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve fiscal year 2024 operating transfers and reimbursements as expressed in the letter from Controller Wilmot (resolution no. 24-188).

The meeting concluded at 11:14 a.m. and an audio recording is on file in the Commissioners’ Office.

APPROVED CLAIM

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

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 10, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

APPROVED MAY 2024 AND JUNE 2024 TERM COMMISSIONER PROCEEDINGS AND SYNOPSES

The Minutes of the Fiscal Terms of May 2024 and June 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 publication. Minutes of the Board of Canyon County Commissioners' meetings are on file in the Commissioners' Office and may be viewed upon request.

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

The Board met today at 9:33 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, COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Legal Services Agreement with Castleton Law: Mr. Bazzoli explained this agreement is for mediation purposes regarding a pending litigation matter. This is a standard agreement with Castleton Law with an hourly rate of \$185/hour. At this time mediation is scheduled for December 3rd to determine if Canyon County is a party to the pending litigation. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal services agreement with Castleton Law (agreement no. 24-134). Additionally, the Board authorized Commissioner Van Beek's initials on the rate portion of the agreement.

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

EXECUTIVE SESSION – TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Brooks made a motion to go into Executive Session at 9:37 a.m. pursuant to Idaho Code, Section 74-206(1) (f) to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Van Beek. 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, and COO Greg Rast. The Executive Session concluded at 10:00 a.m. with no decision being called for in open session.

Consider a resolution granting alcoholic beverage licenses to the following:

- Campos Market LLC dba Campos Market (addition of onsite beer consumption)
- Costco Wholesale Corporation dba Costco Wholesale #734 (change in officers)

Commissioner Brooks said he has reviewed the applications and is in favor. He then moved to approve the resolution granting alcoholic beverage licenses to Campos Market LLC dba Campos Market, and Costco Wholesale Corporation dba Costco Wholesale #734. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution no. 24-189.

The meeting concluded at 10:02 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS MEETING

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

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

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

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

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

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 11:36 a.m. to consider matters related to Indigent Services. Present were: Commissioners Brad Holton and Zach Brooks, Case Manager Kellie George, and Deputy Clerk Jenen Ross. Ms. George presented the following case to the Board:

Case no. 2025-1: Following the investigation done by Indigent Services it was determined there are no assets, the decedent was a Canyon County resident and they meet all eligibility criteria for

county assistance. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to approve case no. 2025-1 for cremation.

The meeting concluded at 11:37 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of an appeal by Shawn Maybon, representing Cornelius and Arlene Houweling, regarding the approval of Case No. AD2024-0027, a land division creating an agricultural parcel on Parcel R28390 (19.52 acres). Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Dan Lister, DSD Assistant Director Jay Gibbons, Deputy PA Zach Wesley, other interested persons, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley believes we have an immediate resolution for this matter because a stipulation has been signed by the appellants and the applicant. The attorney for the appellant sent a request for mediation and as Deputy PA Wesley was responding to that it seemed that all parties were on the same page as far as a resolution and so they put an agreement together to have this case go back to the DSD Director. The private road name change and the easement reduction which were done initially were not required for the administrative division application. The appellants were primarily opposed to the name change and easement reduction and the applicant was primarily interested making sure the land use division went forward. The proposal is to remand it back to the Director to issue a new decision vacating the road name change and easement reduction and then processing the application again for the applicant's administrative land division. Commissioner Van Beek said there appear to be questions regarding the actual ownership of the one-acre parcel that provides access. Principal Planner Lister said initially it was an appeal of the land division, the private road, and the easement and the concerns about legal access came through, but the amendment from the appellant is more about the private road change or an easement reduction at this moment. The division that was taken is to create an agricultural parcel which doesn't create an entitlement for that parcel so it doesn't expand or extend the nonconforming shared access. If we remand it back it allows the owner to work out if they ever want to build another dwelling then they can work through the private road and easement process at that time, not during a process that doesn't require it at this point. Commissioner Van Beek said the intent is to sell a parcel, but nothing that prohibits them from rezoning to rural residential. All administrative splits have been taken on this parcel and now this is allowed to provide for an additional split with the provision that it's ag only with a minimum of five acres. The Board is wrestling with some of the potential unintended consequences from the 2030 comprehensive plan which continue to create additional divisions in rural areas of the County and if we are talking about not fragmenting agricultural ground, the 5-acre parcel cutups are not functioning in the real realm for people with any serious agricultural intent. Planner Lister said the code allowed 40-acre agricultural only sizes to be divided without going through any process and during that change to our land division changes we have added that five acres or

greater as long as it's ag only does not count towards the divisions you are asking for through that land division. It gave an extra way to make a parcel out of it and that's what was adopted in 2022. It will be discussed as we update the comprehensive plan and the ordinance. Commissioner Brooks said we have a signed agreement between the two parties. Commissioner Holton said at the rate we are cutting ourselves off one division at a time we are going to burn through our ground and until the public can understand the realm that we find ourselves in the Board needs to follow the ordinances. We need to honor that the parties have an agreement to remand it back to the Director. He then made a motion to vacate the land use hearing denial and honor the agreement between the parties and remand the matter back to the DSD Director. The motion was seconded by Commissioner Van Beek for discussion. She asked staff how many parcels there can be before it trips a subdivision requirement? Planner Lister said the code says five acres or greater from an original parcel requires platting. The motion carried unanimously. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 1:43 p.m. An audio recording is on file in the Commissioners' Office.

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

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

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

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

Job Title Changes

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

To

One (1), Desktop Support Specialist, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 823, FLSA non-exempt
No fiscal impact with this change

One (1) Computer Network Technician, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 832, FLSA non-exempt
To
One (1), Desktop Support Specialist, salary grade 13, min. \$25.11, mid. \$29.89, max. \$34.66, position control number 16 237 832, FLSA non-exempt
No fiscal impact with this change

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

One (1) Receptionist, salary grade 11, min. \$18.00, mid. \$21.73, max. \$25.46, position control number 16 237 833, FLSA non-exempt
To
One (1) Administrative Specialist, salary grade 11, min. \$18.00, mid. \$21.73, max. \$25.46, position control number 16 237 833, FLSA non-exempt
No fiscal impact with this change

One (1) Sr. Administrative Support Specialist, salary grade 12, min. \$21.54, mid. \$26.02, max. \$30.50, position control number 16 237 755, FLSA non-exempt
To
One (1) Sr. Administrative Specialist, salary grade 12, min. \$21.54, mid. \$26.02, max. \$30.50, position control number 16 237 755, FLSA non-exempt
No fiscal impact with this change

Job Title and Salary Grade Changes

One (1) IT Business Analyst, salary grade 15, min. \$34.85, mid. \$41.47, max. \$48.09, position control number 16 237 822, FLSA exempt
To
One (1) Project Manager, salary grade 16, min. \$41.01, mid. \$48.80, max. \$56.58, position control number 16 237 822, FLSA exempt
Annual fiscal impact of \$2,400.58 with this change

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

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

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

Job Title, Salary Grade and FLSA Change

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

To

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

No fiscal impact with this change

FLSA Status Changes

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

To

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

No fiscal impact with this change

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

To

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

No fiscal impact with this change

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

To

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

No fiscal impact with this change

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

To

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

No fiscal impact with this change

Job Title and FLSA Status Changes

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

To

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

No fiscal impact with this change

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

To

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

No fiscal impact with this change

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

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

To

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

And

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

To

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

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

Commissioner Van Beek said the total impact is \$9,285.38 and she is in favor of it. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve a resolution to adopt job descriptions and title changes in Information

Technology, and the resolution to adopt job descriptions and title changes in the Sheriff's Emergency Technical Services as presented. (Resolution Nos. 24-190 and 24-191.) The meeting concluded at 4:15 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 11, 2024

There were no meetings held this day.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 15, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

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

The Board met today at 9:33 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Trent McRae, DSD Director Sabrina Minshall, Assistant Director of DSD Jay Gibbons, DSD Planning Supervisor Carl Anderson, HR Director Marty Danner (left at 9:36 a.m.), COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider JobScore Renewal Order: Director Danner said they must have some kind of tracking system in place while looking for a new system which is why this renewal is being signed. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the JobScore Renewal Order (agreement no. 24-135).

Consider Independent Contractor Hearing Examiner Agreements with Leon Letson and Ashley Squyers: Mr. Gibbons explained DSD has used a hearing examiner in the past but stopped as they were

struggling to fill the planning & zoning docket. P&Z is currently only getting thru about 3 hearings an evening so the hearing examiner will help in getting thru the backlog of applications. Mr. Gibbons will work with them over the next few weeks and hopes to have them start in December. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the independent contractor hearing examiner agreements with Leon Letson and Ashley Squyers (agreement nos. 24-136 and 24-137).

The meeting concluded at 9:39 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

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

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

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

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

requirements. Commissioner Holton said land applications need to be done by the landowner not agricultural producers. Commissioner Van Beek agrees.

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

The Board continued its review of the following ordinance sections:

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

Director Minshall summarized the Board's preferences as follows:

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

Director Minshall will review the items with Legal and provide a new draft for review. In order to be in compliance with state law the ordinance and the resolution establishing the APA Commissioner have to be adopted by the end of the year and the only way to get this back to the

Board by the week of December 16 for action, is to get it before the P&Z Commission on November 17, and to do that we have to publish the summary by Friday. The Board concurs with meeting the Friday deadline. Commissioner Holton informed Director Minshall that the Board is supportive of the new land use hearing script. The meeting concluded at 11:45 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 3:02 p.m. with the HR Director to discuss general issues, set policy, and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, HR Director Marty Danner, COO Greg Rast, and Deputy Clerk Jenen Ross. Director Danner updated the Board on the following:

Benefit renewal will be open from November 1st thru 15th. This year enrollment will be passive as there are no changes, however, employees will need to actively sign-up/elect an amount for their flexible spending account.

Currently the county offers two supplemental life insurance programs, one thru Lincoln Financial and one thru NCPERS. Unfortunately, NCPERS is a terrible plan, additionally, the customer service supporting the plan is not good. Ms. Danner would prefer to discontinue offering NCPERS as an option. There are about 200 employees enrolled and HR would like to work with those people to explain their options. The Board is supportive of removing the NCPERS option.

A benefit fair will be held on November 1st in the Administration Building meeting room. PERSI is not able to participate but will hold other quarterly workshops.

A new benefit is available for people close to the Medicare coverage age. There is no cost to the county but provides a resource to those close Medicare age to gain a better understanding of what is needed from a supplemental for Medicare and how it works with the county's insurance. The only requirement is an online sign-up from the county, which Ms. Danner could do. Following sign-up, the company would reach out to qualifying employees. The service is provided by Phoenix Insurance which specializes in Medicare Advantage plans. Additionally, these services have already been adopted by the Idaho Association of Cities and will be in front of the Idaho Association of Counties within the next 3-6 weeks for NACO to consider adoption. The Board is in favor of moving forward.

A no-cost agreement with Preventative Health for the wellness fair was presented to the Board for approval. The Board and Mr. Bazzoli concurred this agreement was administrative and decided that the chairman would sign on behalf of the county (agreement no. 24-138).

The meeting concluded at 3:12 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION GRANTING ALCOHOLIC BEVERAGE LICENSES

The Board met today at 3:24 p.m. to consider a resolution granting alcoholic beverage licenses. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, and Deputy Clerk Jenen Ross. The licenses were considered as follows:

J&R Distributing, LLC dba Sunnyslope Market (New License): Commissioner Brooks said he is supportive and made a motion to approve. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution no. 24-192.

Hansens Properties, LLC dba El Camino (Transfer License): Commissioner Brooks moved to approve the license. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution no. 24-193.

The meeting concluded at 3:26 p.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 4:04 p.m. to consider a resolution to change one position control number level in the Prosecuting Attorney's Office - Criminal Division. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Criminal PA Doug Robertson, PA Office Manager Melinda Longoria, HR Director Marty Danner, HR Business Partner Demi Etheridge, Chris Boyd, the Republican Candidate for Prosecutor, and Deputy Clerk Monica Reeves. HR Director Danner said the resolution moves one PCN to a Deputy Prosecuting Attorney (DPA) I to a DPA II, and to promote a DPA I to an open vacant funded DPA II. Mr. Boyd said Prosecutor Taylor had previously presented a package for consideration but the Board wanted to wait until January of 2025, but there are a couple of people Mr. Boyd does not want to lose so he is making the request now. He plans to come before the Board in January with some of the same raises that were already proposed. Chief Criminal Deputy PA Robertson said back in March when the adjustments were done, one of the employees was at 1.9 years of qualifying years' experience and is now at 2.5 years of qualifying experience. The other employee has reached the 2-year mark and qualifies for a promotion. Both are excellent employees and the PA's Office does not want to lose them. COO Rast said the money for the adjustments was put into the general reserve account and it will take a 3-0 vote to pull from the reserve account into the PA's office. Commissioner Holton said it's important to note that this isn't new, it was anticipated and we have the money set aside for it. Commissioner Van Beek thanked Mr. Boyd for attending today's meeting and said she was glad to have the support and collaboration with the criminal division. There has been a lot of movement on the classifications, bar dates, hours, and years and she is looking forward to potentially looking at that in a different light in FY2025. Mr. Boyd said the Board can expect those discussions the middle of next year. Commissioner Van Beek said it's important that there is rubric that is clear and defensible. Commissioner Brooks supports the request and said the Board set money aside for Mr. Boyd to come in and do what he thought was best for the office and he is here with a paper trail asking for the two changes. He then made a motion to approve and sign the resolution to change one position control number level in the Prosecuting Attorney's Office - Criminal Division from a Deputy Prosecuting Attorney I to a Deputy Prosecuting Attorney II. The motion was

seconded by Commissioner Van Beek and carried unanimously. (Resolution No. 24-194.) The Board signed the two employee status change forms that were presented by HR. The meeting concluded at 4:13 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 16, 2024

APPROVED CLAIMS

- The Board has approved claim 610342 ADV in the amount of \$657.54

APPROVED CATERING PERMIT

The Board approved Idaho Liquor Catering Permit for:

- Raising Our Bar to be used on 10/18/24 for the Hoskins wedding

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206 (1) (B), (D) AND (F), 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 9:36 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, Clerk Rick Hogaboam (left at 10:22 a.m.), Director of Court Operations Jess Urresti (left at 10:22 a.m.), Chief Deputy Sheriff Doug Hart (left at 10:15 a.m.), Cpt. Harold Patchett (left at 10:22 a.m.), TCA Benita Miller (left at 10:22 a.m.), Family Court Services Manager Chris Paulsen (left at 10:22 a.m.), Facilities Director Rick Britton (left at 10:22 a.m.), Judge Gene Petty (left at 10:22 a.m.), COO Greg Rast, HR Director Marty Danner (left at 10:54 a.m.), and Erik Ellis with Idaho State Public Defense (left at 10:22 a.m.). The Executive Session concluded at 11:00 a.m. with no decision being called for in open session.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 17, 2024

APPROVED OCTOBER 18, 2024 PAYROLL

- The Board approved the October 18, 2024 payroll in the amount of \$2,521,123.53

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Perennial Energy in the amount of \$6,710.00 for the Solid Waste Department (PO #6096)
- Hurricane Butterfly LE in the amount of \$6,347.06 for the Sheriff's Office (PO #6102)
- Modern Office in the amount of \$8,640.00 for the Facilities Department (PO #6121)
- Grainger in the amount of \$5,865.26 for the Facilities Departments (PO #6122)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Merianne Smith, Seasonal Elections Specialist
- Kelsey Manweiler, Deputy Prosecuting Attorney I - Criminal (SAUSA) salary adjustment
- Trent Cluck, Systems Administrator I - job title and FLSA change
- Randall deJong, Systems Administrator I - job title and FLSA change
- Ryan Moore, Systems Administrator I - job title and FLSA change
- Aaron Lasley, Project Manager - job title and salary grade change
- Abbie Nickel, Sr. Finance Specialist - job title and salary grade change
- Amber George, Sr. Administrative Specialist - new hire
- Dana Huffaker, Administrative Specialist - job title change
- Boone Singpraseuth, Systems Administrator II - job title and FLSA change
- Micki Schlapia, Sr. Finance Specialist - job title, salary grade and FLSA change
- Julio Ortega, Desktop Support Specialist - job title change only
- Brad Snell, Desktop Support Specialist - job title change only
- Garic Austin Hayes, Jr., Limited License Intern - temporary to part-time (Prosecutor's Office)
- Brogan Howard, Limited License Intern - temporary to part-time (Prosecutor's Office)
- Kaitlyn Bell, Limited License Intern - temporary to part-time (Prosecutor's Office)

APPROVED COMMUTER VEHICLE AUTHORIZATION FORM

- The Board approved a commuter vehicle authorization form for Makenna Doramus, Deputy Coroner.

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Deputy P.A. Trent McRae, Deputy P.A. Laura Keys, Facilities Director Rick Britton

(left at 9:39 a.m.), Director of Juvenile Detention Sean Brown (left at 9:33 a.m.), and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Agreement Between Ada County and Southwest Idaho Juvenile Detention Center and the Idaho State Department of Juvenile Corrections for FY2025: Mr. Brown explained this agreement is in place for emergency purposes if kids are not able to be housed in Canyon County they can be housed in Ada County or with the state. He noted the contract has been in place for several years but never had to be used. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the agreement between Ada County and Southwest Idaho Juvenile Detention Center and the Idaho State Department of Juvenile Corrections for FY2025 (agreement no. 24-139).

Consider Gem County Juvenile Detention Housing Agreement: This is a standard housing agreement with the only change being to the daily rate, increasing from \$220 to \$235. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the Gem County Juvenile Detention Housing agreement (agreement no. 24-140).

Consider Architecture and Engineering Professional Services Contract with RBA Architects, LLC: This is for the design and previous drawings to be updated for a jail facility based on current county and city codes and ordinances. The contract is based at 8.5% so the dollar amount will depend on the building cost. Mr. Britton said this project will be a CM/GC contract as it has been very successful in the past. Drawings are anticipated back within a couple months; however, it will depend on when engineers can get information back to Mr. Britton. It is unknown if this will need to go thru the city's or the county's planning and zoning process; Mr. Britton said that is something he needs to work thru and Commissioner Holton asked legal to assist in looking into it. Mr. Klaas noted for the record that because this is an update to already existing plans the law allows for the formal bidding or proposal process to be omitted. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the Architecture and Engineering Professional Services Contract with RBA Architects, LLC (agreement no. 24-141).

Commissioner Van Beek said she has some questions about opioid funds and requested to go into executive session as follows:

EXECUTIVE SESSION – 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) (f) to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy P.A. Oscar Klaas, Deputy P.A. Trent McRae, and Deputy P.A. Laura Keys. The Executive Session concluded at 10:03 a.m. with no decision being called for in open session.

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

DSD GENERAL BUSINESS MEETING

The Board met today at 10:32 a.m. for a DSD General Business meeting. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, Deputy P.A. Trent McRae, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Director of Constituent Services Aaron Williams, COO Greg Rast, and Deputy Clerk Jenen Ross.

Director Minshall said today's goal is to either make changes or accept changes to the APA draft ordinance so that a summary publication can be sent to the Idaho Press for the November 7th P&Z meeting. This will allow the ordinance to be in front of the Board the week before Christmas for finalization.

Two versions of the same document (one with highlights and one without) were provided to the Board for review. Director Minshall reviewed the document with the Board:

- Red underlines denote a change based on Board direction or upon legal review
- Yellow section highlights indicate state law
- Green section highlights indicate area where the county has flexibility

As the document was reviewed by Director Minshall, specific areas of discussion included the following:

- 90-day notice of termination which is part of the state statute. There could also be a separate internal policy setting the guidelines for county notification to anyone signed onto the APA.
- A rescission period once a final decision has been made. A disclaimer document could be included as part of the application. An affidavit of property ownership will also be required. Based on input from Mr. McRae, the Board would like language included stating that once the application has made it to the final decision, if withdrawn, fees will still be applicable and no refund will be issued; this will be included as part of the fee schedule.
- The ordinance summary will be published in the Idaho Press on Tuesday, October 22nd, followed by a P&Z hearing and public comment; it will then come back before the Board with any recommended changes. There is Board consensus on the changes and instruction to DSD to continue moving forward.
- Director Minshall gave a summary of the changes as follows:
 - Section 5: Language will be adjusted regarding acceptance of the application
 - Section 4: Subsection 'e' regarding county zoning in relation to an area of city impact.
- Once the summary is published, there will only be approximately 8 days for written materials to be accepted prior to the P&Z hearing, after that the Board will receive all the material from P&Z. The public will still have an opportunity to send written comments or attend the BOCC public hearing.

A copy of the document reviewed is on file with this day's minutes.

Commissioner Van Beek moved to adjourn the meeting.

The meeting concluded at 11:24 a.m. An audio recording is on file in the Commissioners' Office.

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

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

Amy Mallard testified that she is disappointed in the process because she feels like this proposal was sprung on the homeowners who were given two weeks from the date of the initial letter of notification to oppose it. The neighbors overwhelming were opposed to the request and they filed that with the DSD Director. Two weeks after the Director's decision they were given two weeks to submit an appeal, forcing the homeowner to pay for the appeal, and as a homeowner trying to defend her property she does not believe it should fall on her to front the money for that. She submitted a letter with her original appeal and raised the points of why she was opposed to the proposal. She also submitted an environmental impact of substations that was published by the Public Service Commission in Wisconsin because she could not find anything in Idaho and she wanted a to make sure it came from a government site. Permanent construction impacts of a substation include long-lasting impacts, including changes in habitat laws, changes to local aesthetics, viewsheds, noise, and lighting. Anyone within 300 feet will hear noise from the substation. Some neighbors live directly across the street from the proposed use and the edge of her property is 300 feet while her parents' property is within 200 feet. In the Director's decision it was stated that the proposed use would not change the character of the area, but there was no proof of that given other than to state Idaho Power would place a concrete wall around the utility. The transformer will extend well beyond the height of the concrete wall and the post may extend up to 70 feet. It will change the look of an agricultural area to an industrial area. There are properties for sale near the site and on Simplot Blvd., in an industrial area where no homes are

located. There is also a property for sale one mile east on Lower Pleasant Ridge Road consisting of 27-52 acres. She believes there are more opportunities to purchase property somewhere else that would not affect homeowners. Ms. Mallard said the Director's decision concluded that the proposed use would not be harmful to properties in the immediate vicinity, but having sold real estate she is aware of the negative impact the proposed use will have. She purchased her property four years ago as a long-term investment and is concerned about the negative impacts to property values due to the stigma associated with substations and high voltage lines. Many people believe it is harmful so it doesn't matter what studies show, the stigma is there, and it may force people to rent their properties if they are not able to sell them. Nobody wants to live next to high voltage long term because of the unknown so when it says unsubstantiated, it doesn't mean it's not a problem it just means there is no conclusive evidence. If Idaho Power is constructing a substation for the needs of future building that should fall on the area where the building is going to occur because those homeowners are then knowingly purchasing there. Idaho Power representatives have stated that property values will be affected.

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

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

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

The subject property was part of a 24-acre parcel, and it is currently in agricultural production. The surrounding land uses are ag-residential and agriculture. The City of Greenleaf is located a ¼ mile to the northwest on Top Road, and to the west of Top Road there is a large-lot residential development, Locust Hills Estates. There are sporadic small residential clusters to the north and east of the proposed project with the nearest home being more than 200 feet from the parcel. The property is bordered on two sides by public roads and there is an existing Idaho Power transmission line along the south boundary of the property. The County's future land use designation for this property is residential and a utility facility is permitted by the Director's decision in the residential zones. The City of Greenleaf's future land use designation for the subject property is agriculture and low-density residential. The applicant indicates that the facility is intended to improve services to the Greenleaf area and has provided information regarding the

EMF health concerns. The utility facility as proposed will not increase traffic, noise, dust, nor is it anticipated to impact essential services. The proposed facility is compatible with existing rural residential and agricultural uses in the area. Staff concluded that the proposed use will not be injurious to property in the immediate vicinity, nor will it negatively change the essential character of the area. There are substations located throughout the County in varying locations, some are not surrounded by anything, and some are frequently surrounded by small lot residential properties. Property owners within 600 feet of the subject property were notified of the request by Idaho Power and were provided opportunity to comment on June 11, 2024. Staff received three letters of opposition and an opposition petition signed by 37 people during the comment period. The opposition cited loss of agricultural farmland, disruption of current scenic views, potential for lowered property values, industrial development in an agricultural and residential area, and health concerns regarding electromagnetic fields. The Director's decision for a utility facility was approved with conditions on July 23, 2024. The appeal of the Director's decision was filed on August 9, 2024. Following her report, Principal Planner Root responded to questions from the Board.

Testimony in favor of the Maggard appeal resumed as follows:

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

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

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

Dennis Zattiero agrees with the testimony so far and said he is very concerned about the EMF or EMI radiation from the site. He is an amateur radio operator and said the proposed use will generate more noise and will pollute the neighborhood with radiation that will affect television reception for people who are in the line of sight, and he believes it will be determinantal to the neighborhood, community, and lifestyle, as well as negatively impact property values. If there are

other opportunities to put this in an industrial area that's more appropriate or if there are properties for sale, why wouldn't we consider that? He is a small farmer, and water runs across his property to where the substation will go, and he already has an issue with water backing up onto his hayfield making it nonfarmable. He asked Idaho Power representatives how they will not continue to negatively impact his land, and they said they did not know anything about it and did not seem to have a plan to go forward. The proposed use is not well thought out.

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

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

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

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

substations; one in Caldwell, one in Homedale, and one in Houston and growth in those areas has caused a constraint on the grid in the Greenleaf area and locating the substation here makes sense for the local growth. In 2014 they had 129 meters in the 83626 zip code and in the last 10 years they have seen 129 new meters.

Jeff Maffuccio testified that in 2011 and 2023 the community committees, with their western Treasure Valley electrical plan, looked at opportunities for Idaho Power to consider where a Greenleaf substation could be sited. The drivers of that included the Canyon County and the City of Greenleaf comprehensive plans as well as Greenleaf's future land use map which shows Lower Pleasant Ridge Road as a utility corridor, and those comprehensive plans suggest facilities be located along the utility corridor. In 2018 they identified the need for a Greenleaf substation but the growth had slowed a bit so they put it off, but in 2023 they picked back up and they looked at the entire area starting at Lower Pleasant Ridge Road and working through the Greenleaf area and they approached eight (8) different landowners and struck out 7 times whether the landowners wanted to develop in their own way, or did not want to sell a smaller parcel, or they had their own reasons, so Idaho Power went back to the landowner they ultimately purchased from and through the DSD process they were able to get the public utility land division which allows for the 2.65 acres. He said there is plenty of room to set this back further from homes. In hearing the neighbors' concerns they worked with staff on recommendations for precast concrete walls that can be colored and textured and with different tree and shrub options. The walls are 8 feet tall and the vegetation is 12-16 feet and they can work within the acreage to site the substation which is one-acre in size. There are no habitable buildings and no non-emergency lighting. The tallest structure is about 50-feet tall which will come off the transmission structures which are 70-feet tall and that includes the distribution lines underneath. Mr. Maffuccio spoke about the measurements of EMFs which will be equivalent to a small appliance such as a television; noise measurements are comparable to 37 decibels in a quite rural setting or a bedroom at night with no fans running. There is still more work to do in the development design and working with the associated agencies, the County, and the neighbors with respect to screening efforts, and working to resolve any issues if there is a lateral nearby. With regard to setbacks, if it was placed in the center of the property it would be about 50 feet on all sides, and they can push back 75 feet from the roads, and 25 feet on the back. Along the outside of the substation they do 10 feet of gravel for a safety and firebreak barrier with a chain-link fence and concrete walls. They have a 2-year design frame to start construction in the beginning of 2027 and they want flexibility to move things. Commissioner Van Beek asked why can't there be a location in an industrial area that is located on an industrial corridor like Highway 19. Mr. Maffuccio said they looked at properties along Highway 19 in the Greenleaf general area, but if they go further east on Hwy. 19 towards some of the other industrial areas the challenge becomes the cost to build transmission at \$1 million per mile to the east and to build the distribution line to the west. It becomes a balance of the flow of electricity so they were trying to site within the specific area. Commissioner Holton asked about the viability of the other sites they looked at. Mr. Maffuccio said started at the southwest corner at Friends Road and Lower Pleasant Ridge Road and that owner wanted Idaho Power to buy the entire field. Other sellers to the north either had plans for their property or they did not want to split it up. The seller they purchased from came back to them in 2024 and was interested in selling a small portion of their parcel. Idaho Power needed to find a small suitable

parcel, rather than a large acreage they where they may have to sell at a loss or hold it. Follow-up discussion ensued.

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

Daniel Hyer testified that he has lived in Greenleaf since in 1983 and has gone through numerous power outages due to the unreliability of the power coming from Caldwell and the other substations. He applauds Idaho Power for thinking ahead and planning to put a substation where it will be reliable for the community. He said the City of Greenleaf recently approved 113 homesites and the substation will be essential in providing power for that development. In his opinion the substation on the corner of 10th Avenue and Homedale Road is approximately the same size as the proposed use and the subdivision across the street from that substation is building out rapidly so he doesn't know that it's affecting property values. Power transformers take a few years to acquire because they are built in Europe and they are not readily available and stocked. Rebuttal comments were given by Amy Mallard who testified that the proposal is not compatible with the area and it disrupts the agricultural view. Installing an 8-foot concrete wall is not going to matter if the transformer is 12 feet high and there are other poles that are 50 feet high or the main steel posts that run along Lower Pleasant Ridge Road that will be 70 feet high. There is property down Lower Pleasant Ridge Road that would be along the same lines that Idaho Power is talking about tying into and there is property east on that road that is 27-52 acres that's been for sale for a long time and no homes would be affected there. She said Mr. Hyer is in favor but questions if he will have to look at facility or hear the noise? Ms. Mallard is not aware of any service issues in the area and questions why Idaho Power wouldn't add a transformer to another substation or find another location further down the road? More due diligence should have been taken to see if there would be opposition. Why place this structure near 37 homes when there are other sites available?

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

Commissioner Van Beek said the comprehensive plan designation for Greenleaf that indicates the parcel is to be residential high-density, but she was also reading that Greenleaf has this designated as agricultural low-density. She said the designation of the parcel as "ag-only" indicates that the

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

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

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

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

Commissioner Holton said the parcel is on a corner so a berm might be problematic if it's too close to the intersection and obstructs the views of those traveling through the intersection. Commissioner Van Beek asked if the Board can require it to be substantially compliant with what Idaho Power has presented in their application. Planning Supervisor Anderson said if the Board wants to add a condition of berming to mitigate and increase compatibility with surrounding land uses he recommends the wording be tied to something such as a landscaping plan and site plan in alignment with it showing berming be provided and reviewed by DSD at the time of building permit submittal. Commissioners Brooks and Holton want it to be similar to the Beacon Light site with berms on the west side and the south side of the property. Commissioner Holton said he has to have quantitative information to weigh and against the testimony concerns about explosions or

fire. For instance, it would have been helpful to have examples of explosions in the Idaho Power network. He agrees with the concerns about the location but said he is a public servant and he has to weigh a \$10M cost at this location and a \$30M cost as the next lowest alternative. Regarding concerns about home values, there was no evidence provided regarding comps and he has to have something he can measure and base a decision on. The concern about EMF is debatable, but the burden is upon the appellant and they only gave opinions. He doesn't have anything to overturn the Director's decision. Commissioner Van Beek said within a ½ mile there are 113 homes scheduled for the area, and she likes the rural nature, but she does not like the idea of a substation at this location. There was information provided in a previous land use case where data was submitted to the Board for review where reduced home values were substantiated. She needs additional fact-based information from those in opposition to the proposed use. Commissioner Holton said a possible mitigation would be to ask Idaho Power to look at their lowest next cost alternative, but he is cautious in asking that because he doesn't know if he has clear legal grounds. This is an agricultural area and it's a conforming use and it meets all of the land use criteria for placement here. Commissioner Van Beek wants Idaho Power to come back with more specificity on the parcel site map. Commissioner Brooks said he is not in favor of that and then he made a motion to deny the appeal, Case No. AD2024-0046-APL, affirming the Director's decision for approval for Case No. AD2024-0046 with the added condition that this substation would be in substantial conformance to the appearance and landscaping of the Beacon Light/Linder Road substation that Idaho Power submitted in their presentation, and that DSD would have an opportunity to review that before it was implemented. Commissioner Van Beek wants additional information on why those other sites were not suitable and in the absence of that she would be unable to support the motion. Commissioner Brooks said testimony indicated those sites were not suitable because Idaho Power could not purchase them. Commissioner Holton does not see a way out that's defensible. There could be better sites with less residential impact but he cannot get there and he is not legally comfortable overturning the decision. Commissioner Holton seconded the motion. Commissioner Van Beek was opposed to the motion to deny the appeal. The motion carried by a two-to-one split vote. The Board will reconvene at a later date for the written decision. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The hearing concluded at 4:10 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 18, 2024

APPROVED CLAIMS

- The Board approved claim 610444 ADV in the amount of \$247.50

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

DETENTION CENTER INSPECTION CONDUCTED

The Board conducted a quarterly inspection of the detention center. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Captain Harold Patchett, and Lt. Travis Engle. The Board evidenced proper care and security and the inmates' welfare throughout the facility. General grievances were filed and have been processed in accordance with standard procedures. A copy of the completed tour/inspection form is on file with this day's minute entry.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 21, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

MEETING TO RECEIVE THE CLERK’S QUARTERLY BUDGET REPORT

The Board met today at 10:30 a.m. to receive the Clerk’s quarterly budget report. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Steve Burton, and Deputy Clerk Jenen Ross.

Controller Wilmot spoke about how the reports were revised to make them easier to understand.

This is the last quarter of the fiscal year but per statute the county’s budget is still open until the first Monday in November so the numbers may still fluctuate.

A review with discussion ensued regarding the following bullet points contained in the memo provided by the Clerk’s Office.

- County Fair Building revenue line was only at 65.6% utilized
- The Recorder’s office ‘B’ budget is over budget by \$2356.65
- Revenue lines for the Prosecutor’s Office are underutilized currently at 63.4%
- SAUSA line item within the Prosecutor’s budget is over budget by \$7454.36
- Emergency Management revenue has not been fully utilized
- Motor Boat License ‘A’ budget is over by \$5334.37
- The Juvenile Detention Center ‘B’ budget is over by \$3992.26
- Emergency Communications ‘B’ budget is over by \$31,570.71
- Overall, county operating funds are realizing 95.8% of revenues and have 8.9% unspent from what was budgeted for expenditures. Currently expenditures are \$6,520,287 more than revenues, however, this will change once the budget is closed and finalized.

At the request of Commissioner Van Beek, Sarah Winslow spoke about the Treasurer's report and how the two Office work in conjunction to prepare the report.

Commissioner Holton requested a possible workshop between the Clerk's Office and the Treasurer's Office in order to get a report on the interest earnings.

Clerk Hogaboam noted there will be another budget amendment necessary.

A copy of the memo and associated budget documents are on file with this day's minutes.

The meeting concluded at 11:00 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION TO ADOPT JOB DESCRIPTION, SALARY GRADE, FLSA, AND TITLE CHANGES IN THE SOLID WASTE DEPARTMENT

The Board met today at 11:06 a.m. to consider a resolution to adopt job description, salary grade, FLSA, and title changes in the Solid Waste Department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, HR Director Marty Danner, HR Business Partner Jennifer Allen, Landfill Director David Loper, Steve Burton, and Deputy Clerk Jenen Ross.

Director Loper reviewed the Landfill reorganization / structure change memo provided to the Board as follows:

- Deputy Director and Sr. Administrative Specialist positions were created for succession planning and continuity of operations. Both of these positions were approved and funded in the FY25 budget.
- The Code Enforcement positions at the Landfill are being retitled to one (1) Landfill Labor Detail Supervisor and two (2) Landfill Labor Detail Officers. This will provide a clear delineation from the DSD position with the same title. There is no fiscal impact with this change.
- The Landfill Administrative Supervisor job title will be updated to Landfill Business Manager to more accurately reflect duties and responsibilities and to align with similar positions in the county. This change has a fiscal impact of \$3120 which is supported by tenure in the position and internal equity.
- The Lead Heavy Equipment Operator position is being retitled to Landfill Operations Supervisor/Heavy Equipment Operator. This will provide more accountability for certain shifts, appropriate span of control and upward mobility within the landfill. There is no fiscal impact with this change.
- The Landfill Hazardous Waste Screener/Heavy Equipment Operator positions are moving from paygrade 11 to paygrade 12. This change will better define paygrades between Hazardous Waste Screeners (11) and Hazardous Waste Screener/Heavy Equipment Operator (12). There is no fiscal impact with this change.

Commissioner Van Beek made a motion to approve the job title, job description, salary grade and FLSA status of two (2) positions with Canyon County Solid Waste; changes to the job title of three (3) positions with Canyon County Solid Waste; changes to the job title, job description and FLSA status of one (1) position with Canyon County Solid Waste; changes to the job title, job description and salary grade of one (1) position with Canyon County Solid Waste; and changes to the salary grade of three (3) positions with Canyon County Solid Waste. The motion was seconded by Commissioner Brooks and carried unanimously. See resolution no. 24-195.

The meeting concluded at 11:17 a.m. and an audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 22, 2024

APPROVED OCTOBER 4, 2024 PAYROLL

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

COMMUTER VEHICLE AUTHORIZATION FORM

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

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

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

The Board met today at 9:33 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Deputy P.A. Laura Keys,

Treasurer Jennifer Watters (left at 9:37 a.m.), Deputy Treasurer Tonya May (left at 9:37 a.m.), Director of Juvenile Detention Sean Brown (left at 9:42 a.m.), and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Declaring Properties as Not Necessary for County Use and Authorizing the Sale Thereof: Seven (7) parcels will be put up for tax deed at the auction on November 6, 2024. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution declaring properties as not necessary for county use and authorizing the sale thereof (resolution no. 24-196).

Consider Notice of Surplus Property Auction: This goes with the previous action item to notice the public that the auction will take place on November 6th at 10:00 a.m. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the notice of surplus property auction.

Consider Intergovernmental Agreement for Residential Treatment Services with the State of Idaho Department of Juvenile Corrections: Director Brown explained this agreement has been in place for a while with a slightly higher daily rate of \$250 due to the extra work that is necessary vs. the county agreements. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Intergovernmental agreement for Residential Treatment Services with the State of Idaho Department of Juvenile Corrections (agreement no. 24-142).

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

EXECUTIVE SESSION – COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (f) 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, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, and Deputy P.A. Laura Keys. The Executive Session concluded at 10:12 a.m. with no decision being called for in open session.

The meeting concluded at 10:12 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

PUBLIC HEARING – 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) ZONE, AND THE SHORT PLAT FOR EDENBROOK SUBDIVISION, CASE NOS. CR2021-0012 AND SD2021-0057

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Darin Taylor of Subdivision Maker, LLC, representing Ryan and Heidi Walker, for a conditional rezone and development agreement for approximately 14.906-acres, to change the zoning district from "A" (Agricultural) to "CR-RR" (Conditional Rezone - Rural Residential). The request includes a short plat for Edenbrook Estates Subdivision. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Principal Planner Michelle Barron, Deputy PA Zach Wesley, Darin Taylor, Ryan Walker, Heidi Walker, Terrel McHenry, and Deputy Clerk Monica Reeves. Darin Taylor, the applicant's representative, testified that Ryan and Heidi Walker acquired the land years ago and they owned 25 acres and administratively divided off two 5-acre pieces to the north and were left with a 15-acre which is what the Board is considering today. The final plat is still going through the changes requested by the Black Canyon Irrigation District (BCID) related to an easement along the Conway Gulch along the south boundary. The Walkers were required to sign an easement agreement but it has not yet been recorded. Rural residential properties are located to the west and north, and the property to the south is being farmed. The Walkers bought the property so they could build a home, and they are splitting the land to help pay for the purchase of the land and for their house. They concur with the FCO's and the recommended conditions of approval, except for the wording that restricts the secondary residence on the parcel they might otherwise be entitled to. The agencies have approved the preliminary plat. There is access, and there is a gravity fed pressurized irrigation system for the three lots. They started off with 5-acre lots on the north with the smaller piece on the south which is the one the Walkers wanted to build on, but they needed separation from the Conway Gulch so for the southern piece they had to increase the size so that it could have the drain field on its property and meet the separation requirements for the health district and the irrigation district. They changed the lot sizes, they are all 4+ acres and the one on the south is just over 5 acres, but other than that there have been no changes to the preliminary plat or the final plat since they were filed several years ago. Following his testimony, Mr. Taylor responded to questions from the Board. Commissioner Holton had questions regarding the fire turnaround that is shown 3 different ways, a concept of a Y and then a T and on the final plat drafts it's not shown at all. Mr. Taylor said because of the width of the road, the only required turnaround is at the end. Each lot is 5 acres so they have to have a turnaround on each lot unless the further corner of their structure is within 200 feet of the road. The Walkers want a shop and given the topography of the land they want those structures near the north end of the property but that's where a turnaround would be. If they have a driveway with some parking that would accommodate their studio location and their house and there is plenty of room for a turnaround. The fire district okayed this modified turnaround type. According to Mr. Taylor, fire district turnarounds are not typically shown on a final plat because they are house specific. There was further discussion and explanation regarding the turnaround and the easement.

DSD Principal Planner Michelle Barron gave the oral staff report. The request includes a development agreement to limit residential development to three buildable lots. The subject property is located approximately 600-feet south of Goodson Road and approximately 1,000 feet east of the Goodson Road/Wagner Road intersection in Caldwell. The case was submitted on October 28, 2021 and was originally heard by the P&Z Commission on September 1, 2022 and they recommended approval of the conditional rezone with conditions and the short plat. The

applicant needed to build out the private road and get the irrigation district approval on the improvements. While the applicant was working on the road there were some family health concerns that paused the process. They have been working with BCID for nine months to get their approval which includes the easement for the ditch that's on the parcel. Planner Barron reviewed the history of the property noting that in March of 2021 an application for an administrative land division was approved from the original parcel; the parcel was divided into two 5-acre parcels and a 14-91 acre parcel that was ag-only with no building permit available. The agricultural parcel is the parcel that is being proposed for rural residential zoning today. There was a review of the three-lot concept plan. When DSD received information from BCID regarding their requirements for an easement, the final plat dated May 9, 2023 was attached to the comment letter and at that time the planner contacted the applicant to verify that the current short plat had been approved by the County engineer. The County surveyor did sign the final plat, but per state code, an engineer needs to look at both the preliminary plat and the final plat and make sure engineering requirements are taken care of. The final plat cannot be considered today because we do not have the final sign offs by the County engineer and BCID. The preliminary plat has changed since the approval by Keller Engineering, but it was at a time when DSD had a county surveyor on staff and she has no record of them sending it to the county engineer. There was a small change in lot sizes to allow for setbacks from the drain field to the irrigation ditch which resulted in a minor change to the preliminary plat. The proposed lots will have access onto Goodson Road via a private road. The future land use designation is residential and there are 10 platted subdivisions and two subdivisions in process and the average platted lot size for subdivisions within one mile is 4.84 acres. It appears there has been approval of a preliminary plat for Stadium Subdivision No. 2, and two phases submitted for the final plats and that would represent 136 total residential lots in the area and when combined it brings the total to 277 lots with a 1.89-acre average lot size. The proposed plan aligns with five goals and two policies within the 2020 comprehensive plan as well as the future land use map. Planner Barron reviewed the agency comments and public comments. She recommends the following conditions if the Board choose to approve the request:

1. The applicant shall record easement on Lot 2, Block 1 of Edenbrook Estates for a modified turnaround for Edenbrook Lane and the easement shall be shown on the final plat with the instrument number.
2. The road users' maintenance agreement (RUMA) shall be amended to lots 1-3 of Edenbrook Estates.

Following her report, Ms. Barron responded to questions from the Board.

Public testimony was as follows:

Ryan Walker testified that they amended the RUMA to include the parcels to the south on June 7, 2024. They have no interest in having a second house but they would like to have a barn and shop building adjacent to their house to the west and they would like an apartment above that building for future family needs. In regards to the modified turnaround, Mr. Walker said their desire was for a modified hammerhead turnaround and but the fire district said that is only allowed if the road continues past the turnaround and so they had to choose a different one. The second choice

was the 60-foot “Y”. They had already built the front part of the road to 24 feet before finding out the district wanted it to be 26 feet, and that was granted in writing in October of 2022. Following his testimony, Mr. Walker responded to questions from the Board.

Heidi Walker testified that they have seven children and some have special needs and they would love to have a barn-dominium/apartment/music studio and the extra dwelling will help take care of her family’s needs. They are not proposing several buildings, but they would like some flexibility with the use of each lot. As far as selling the lots, their hope is to build a house and be debt free. They will occupy Lot 2, but Lots 1 and 3 will be sold and it would be nice to have the entitlement for a secondary dwelling on all the lots.

Terrel McHenry testified he came to the hearing because he didn’t know why the Walkers wanted a rezone to build a house but now that he knows what’s going on he doesn’t object to what they want to do. He does not want a massive project that will disturb the area.

Rebuttal testimony was offered by Darin Taylor who addressed the slope of the parcel, and the amended RUMA which was put into place at the request of one of the homeowners who purchased the northwest parcel and wanted the road paved. The amended RUMA specifically addresses the paving of the road, and the intent is to pave it. If a time limit is imposed, Mr. Taylor asked that it be a 10-year space of time so they can make sure it gets done.

There was discussion regarding the secondary dwelling/accessory dwelling unit; paving of the road; and the administrative land division and rezone process. Commissioner Holton said wants to see the road verbiage on the plat. He said we are not treating the three lots fairly compared to the front two lots, and if it has the potential for having 10 dwelling sites, he will not participate in a development with a gravel road with 10 lots. He said they have built a good road base and it’s up to them if they are going to do a future lot line adjustment. The land deserves a paved road even with the paved turnaround. Mr. Taylor said if the Board’s concern is that it wants the road paved for the five lots then require it at the 4th or 5th lot. The cost to pave the road is about \$120,000. For the easement to be shown on the final plat, those are typically not shown on preliminary plat, it’s a final plat document. Director Minshall said if the Board is looking for having it paved at some point she recommends it be done before certificate of occupancy. If you do it prior to a C of O we don’t let anybody move in, but the lot could still be sold. DSD would require the applicant’s engineer to certify that the road meets county code and any conditions and you could do that at any number. The Board could also approve the preliminary plat with the condition that it gets revised to have the easement shown for the turnaround and then the final plat would have to be consistent with the preliminary plat. Commissioner Van Beek would like a condition that the road be paved before the issuance of the certificate of occupancy, and that the preliminary plat show the turnaround easement with the final plat that is substantially compliant with the preliminary plat easements. The RUMA should be amended as well. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. The Board’s deliberation on the rezone was as follows:

1. *Is the proposed conditional rezone generally consistent with the comprehensive plan?* Yes.

2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation? Yes.

3. Is the proposed conditional rezone compatible with surrounding land uses? The proposed development as conditioned is compatible with surrounding land uses. Commissioner Van Beek said the Board wants staff to amend the section in the FCO's pertaining to a single dwelling unit, and to update the section to reflect the Board's conversation about the ADUs. Staff will confirm the data and prepare modified language.

4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts? Commissioner Van Beek said staff's language restricts it to no secondary dwelling units will be permitted and no additional splits available. Commissioner Holton wants to remove the language about additional splits. Planner Barron said if the Board wants to condition it to the three lots and the private road lot that will lock it down to the average lot size we are looking at. Commissioner Holton agrees.

5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed conditional rezone? Yes.

6. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? They have installed a paved apron to join with Goodson Road and have discussed the future conditions on the RUMA. Legal access exists and no public street improvements need to be made to provide adequate access to/from the subject property.

7. Does legal access to the subject property for the development exist or will it exist at the time of development? Yes.

8. Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts? Three lots with three residences will not be an impact. It is a positive impact because of the increased property taxes that will be available.

Regarding the conditions of approval, Planner Barron removed the condition pertaining to no secondary dwellings, and added language to amend the RUMA, and that paving at the certificate of occupancy for the fifth (5th) dwelling unit will all be at the subdivision conditions of approval, not during the rezone process. Staff will prepare modified language for the FCO's and bring them back for Board review at a later date. Commissioner Holton made a motion to approve Case No. CR2021-0012 with the noted changes and to approve the FCOs at a later date. The motion was seconded by Commissioner Brooks and carried unanimously. Commissioner Holton suggested the preliminary plat be set for an unknown date certain and have the applicant come back with the additions to the preliminary plat and the notations discussed today and bring it back as a revised exhibit. Following discussion, Deputy PA Zach Wesley said the Board has approved the conditional

rezone subject to the changes in the FCO's and the intent is to continue the hearing in total on the plat issue in which case at the next hearing the Board can reopen public testimony on the platting portion of the hearing. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to November 20, 2024 at 1:30 p.m., for the purpose of reviewing and receiving testimony on the preliminary plat and final plat. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 3:25 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 23, 2024

APPROVED CLAIMS

- The Board has approved claims 610773 to 610775 in the amount of \$684,646.20

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Melissa Tucker, market adjustment approved for FY25
- Audrey Barden, Recorder/Passport Specialist – new hire
- Chet Teats, Job title and salary grade change approved by resolution on 10/21/24
- Guillermo “Bill” Martinez, Job title change only approved by resolution on 10/21/24
- Todd Peterson, Job title change only approved by resolution on 10/21/24
- Leon Baguley, Job title change only approved by resolution on 10/21/24
- Daniel Pecunia, Promotion to Deputy Director position
- Bradley Snell, Specialty pay change
- Debbie Jenks, Job title, FLSA change, and salary increase approved by resolution on 10/21/24
- Kyle Strempeke, addition of on-call pay
- Shelby Miller, Sr. Weed and Pest Technician – new hire
- Danielle Hoak, Sr. Weed and Pest Technician – new hire
- Logan Minischmidt, Sr. Weed and Pest Technician – new hire
- Shawn Powers, Maintenance Technician – new hire

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

The Board met today at 10:01 a.m. for a meeting with the Director of Facilities to discuss general issues, set policy, and give direction. Present were: Commissioners Leslie Van Beek and Brad Holton, Facilities Director Rick Britton, Controller Kyle Wilmot, and Deputy Clerk Jenen Ross. Director Britton updated the Board on the following:

- The election building is scheduled to be completed the end of January to the first of February. A tour will be scheduled for the Board.
- The Sheriff's building project continues to move forward; bids are due Thursday by 2:00 p.m. Once bids are received they will be sent to Director Britton for review; he anticipates having a pretty good idea of costs by the end of next week.
- An in-person meeting will be held on November 7th with RBA regarding a new facility.
- Next week Director Britton will be in Georgia with the Sheriff's Office to look at individual cells to be used in the new facility; Commissioner Holton requested the Director Britton ask the company if they've ever sold to entities using opioid funds specifically.
- A meeting is set for November 6th to work thru details regarding judge parking with the Sheriff's Admin building continuing to move forward.
- A new parking lot is being worked on at Albany St. and 13th; groundbreaking and dirt work will begin November 4th. Working with Aspen Engineering for parking lot design and the City of Caldwell regarding closing 13th from Albany to the railroad tracks. Hoping to have bid for completion of the parking lot in order to be included in the FY26 budget.
- Jail kitchen flooring project is set to start mid-November. Director Britton is working with legal on the contract with Wall 2 Wall Flooring thru the Boise State contract. A portable/trailer kitchen has been brought in in anticipation of flooring installation. Ideally all the flooring will all be done at one time, which is anticipated to take 2-3 weeks.
- Updated lighting is being/has been done throughout county facilities with rebates from Idaho Power. Director Britton anticipates a 75% rebate of lighting material costs plus energy savings.
- Director Williams recently secured a grant for \$73,000 for five (5) HVAC units; two units at the jail, two units at the DMV, and one at the animal shelter.
- Courtroom 5 is currently being worked on with anticipated completion at end of November to the start of December. This is the last courtroom to be remodeled.
- The Weed and Pest division has 4 new hires, 3 of which will start on the 28th and 1 is a new position which will be filled by an employee transferring from the Facilities team. Commissioner Holton would like to work towards having a salary increase schedule for individuals who obtain and maintain licenses/certificates.
- An agreement with a collection service will be signed next week to assist in collecting past due invoices. Commissioner Holton would like to see stronger consequences for those who request service but then don't pay their bill.
- A resolution is being worked on by legal to instate a \$100 fee for owl box cleaning.

The meeting concluded at 10:31 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY TREASURER TO DISCUSS CERTAIN CHARGES, OTHER THAN PROPERTY TAXES, TO BE PLACED ON THE 2024 TAX ROLL

The Board met today at 11:00 a.m. with the Treasurer to discuss certain charges, other than property taxes, to be placed on the 2024 tax roll. Present were: Commissioners Leslie Van Beek and Brad Holton, Treasurer Jennifer Watters, Sr. Systems Analyst Steve Onofrei, and Deputy Clerk Jenen Ross.

Treasurer Watters explained this is the annual process to add on what are referred to as "specials" to the tax rolls because property owners did not pay taxes to the cities or county. Additionally, Treasurer Watters noted that guidelines for this process are being worked on.

Commissioner Van Beek made a motion that the Board authorizes certain charges, other than property taxes, to be placed on the 2024 tax roll; the documents for that motion are for the Canyon County DSD, the City of Nampa, the City of Caldwell, the City of Melba with all the charges enumerated and the documentation properly filed. The motion was seconded by Commissioner Holton. A copy of each of the submitted documents are on file with this day's minutes.

The meeting concluded at 11:05 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION FOR THE FUNDING, RECLASSIFICATION, AND JOB TITLE OF ONE (1) POSITION IN THE SHERIFF'S OFFICE, AND CCSO PROJECT UPDATE

The Board met today at 1:31 p.m. to consider a resolution for the funding, reclassification, and job title of one (1) position in the Sheriff's Office, and CCSO project update. Present were: Commissioners Leslie Van Beek and Brad Holton, HR Director Marty Danner, HR Business Partner Cindy Lorta, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Cpt. Harold Patchett, Cpt. Ray Talbot, Nick Edwards, Commander of the Internet Crimes Against Children Task Force and Deputy Clerk Jenen Ross.

Resolution for the funding, reclassification, and job title of one (1) position in the Sheriff's Office: Mr. Edwards spoke about the Internet Crimes Against Children Task Force and reviewed a PowerPoint which provided statistics on the work they do. A copy of the presentation is on file with this day's minutes. Today's resolution is an effort for CCSO to partner with ICAC as part of the affiliate program. This is a fully funded salary and benefits position paid by ICAC. A PCN will be assigned to this affiliate program with one detective being assigned full-time to work these cases. In addition to salary and benefits, ICAC also provides training and two computers specifically for this work. The only cost to county will be non-ICAC hours, the detective filling this position is also part of SWAT. Chief Deputy Hart met with the Clerk and Controller and at some point, the budget will need to be opened to account for the revenue. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution for the funding, reclassification, and job title of one (1) position in the Sheriff's Office (resolution no. 24-202).

Project update:

In May of 2023 the Sheriff's Office presented their 3-year strategic plan with additional projects being added for FY2024 and FY2025. A document was provided to the Board giving a status update on each project as to whether they are complete, in process or incomplete. As of today, 82% (59 of 72), 6% in process (4 remain), and 12% incomplete (9 remain – these are multiyear plans). A copy of the document is on file with this day's minutes.

Cpt. Talbot reviewed a comparison of fees between October 2022 thru September 2023 to October 2023 thru September 2024. There is a \$196,099.41 increase over the prior year. A copy of this document is on file with this day's minutes.

With Board support, the Sheriff's Office will come back in a year with more complete data to make an evaluation of the fees.

The meeting concluded at 1:57 p.m. and an audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 24, 2024

APPROVED CLAIMS

- The Board has approved claims 610465 to 610504 in the amount of \$58,035.88
- The Board has approved claims 610576 to 610611 in the amount of \$48,320.66
- The Board has approved claims 610770 to 610771 in the amount of \$133,435.99
- The Board has approved claims 610612 to 610664 in the amount of \$73,116.36
- The Board has approved claims 610736 to 610769 in the amount of \$42,405.13
- The Board has approved claims 610666 to 610700 in the amount of \$266,593.71
- The Board has approved claims 610701 to 610735 in the amount of \$34,685.06
- The Board has approved claim 610776 ADV in the amount of \$295.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

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

The Board met today at 9:32 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Laura Keys, Parks Director Nicki Schwend (left at 9:54 a.m.), Outdoor

Recreation Planner Alex Eells (left at 9:54 a.m.), and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Historic Preservation agreement with American Legion Post 18 for FY2025 funding: Director Schwend spoke about this project stating that the American Legion Post 18 building is a national register listed building due to the architecture. The award of \$39,700 should be the last phase to make improvements to the building to return the historical architecture and make repairs to the roof. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Historic Preservation agreement with the American Legion Post 18 for FY2025 funding (resolution no. 24-143).

Consider Idaho Department of Parks and Recreation Request for Reimbursement/Close-out report for the Celebration Park Boater Improvements grant: This request for reimbursement is for the work done in FY2024 for the Celebration Park Boater Improvements project. A brief update on the project was provided by Director Schwend. The project has had many hurdles including clearance for an endangered snail species along with reports on the archaeology and proof that there is no evidence of artifacts in that particular location. Yesterday the State Historic Preservation Office (SHPO) indicated that they concurred with Director Schwend's findings and everyone is now just waiting on the Army Corp. of Engineers to concur. Once that is done the federal permitting can be done and the bid process should be able to start again. During the original bid process there were some large discrepancies between the expected cost and where the bids came in; JUB has said they will do some revisions to what they felt may have been some errors on their end in an effort to get the numbers closer. Additional discussion ensued regarding working with the state/federal agencies and the steps Director Schwend and her team have taken to continue this project moving forward. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Idaho Department of Parks and Recreation request for reimbursement/close-out report for the Celebration Park Boater Improvements grant.

Consider declaration and notice of sole source procurement regarding the build-out and purchase of a water tank for the landfill: Director Loper was unable to attend today's meeting but Mr. Bazzoli explained on his behalf that this is a definite need at the landfill and this is the only company they've found to offer the specific product. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the declaration and notice of sole source procurement regarding the build-out and purchase of a water tank for the landfill. A hearing will take place on November 14th. Total time for the build of vehicle is anticipated to be nearly a year.

Commissioner Van Beek noted that at the November 5th legal staff update someone will be here to speak on capital projects.

The meeting concluded at 10:00 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER DSD REFUNDS

The Board met today at 10:31 a.m. to consider DSD refunds. Present were: Commissioners Leslie Van Beek and Brad Holton, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, and Deputy Clerk Monica Reeves. The requests were considered as follows:

Idaho Youth Ranch, Case No. AD2024-0010: The applicant applied for a Director's decision in February 2024 and after staff's review of the case it was determined that a Director's decision was not the avenue they needed and they instead needed to modify their CUP conditions so they withdrew their application and applied for a modification to the CUP. Staff is recommending a refund in the amount of \$510. The applicant was told by previous staff that what they wanted to do would be an accessory use and when they applied for it staff was not comfortable that that was the right way to go. The Board had follow-up questions and discussion ensued.

Gregory Parker, Case No. AD2024-0066: The applicant applied for an administrative decision variance. Staff reviewed the file and determined that the wrong application had been submitted and they should have applied for a public hearing level variance. The application was withdrawn and they are going to apply for a public hearing level variance but they did request a refund of their unused fees. Of the \$600 fee, staff is recommending \$510 should be refunded. The Board had follow-up questions and discussion ensued. Commissioner Van Beek said the Board has been lacking to understand what encompasses a Director's decision in the authority to grant variances and we should reevaluate that so we know what's happening behind the scenes. Commissioner Holton questioned the 15% "restocking fee" as the matter takes both the Board's and staff's attention and time. Director Minshall said every case is different, but in this case, it is appropriate; however, it is why staff is recommending that as part of the fee update process to have and talk about the restock fee. The current fee schedule says a minimum of 15% but if the Board is uncomfortable with that amount we just need to make sure we justify it and make sure we are consistent and fair.

Destiny Platt, Permit No. BP2023-0738: A building permit was applied for and the applicant is requesting a refund of the fees they paid for a basement foundation that was later switched to a permanent foundation. The fees paid were \$1,009.50. The applicant switched their plan in the middle of the process and staff held this refund to make sure what they said they were going to do matched what was on site. It has been verified that they are using a permanent foundation. Pursuant to the adopted fee schedule, the building official may authorize refunding of not more than 80% of the permit fees paid so staff is recommending a refund of \$807.60. Follow-up discussion ensued. Commissioner Van Beek said she was a part of the decision for this case and from its inception it has circumvented the rules and process and the County has had to ensure at every step that this was in compliance with what they applied for. This request for a doublewide is different than what she understood the application was for when it was approved for a split. The amount of Board time and staff time in ensuring compliance has more than used up the proposed refund amount. Director Minshall said the refund issue is separate from the land use case; this is the building permit side and it might be challenging to not give a refund on the building permit side. Commissioner Van Beek believes the case was presented as a regular home construction to locate on that property and she feels this has been a bait and switch the whole way. Director Minshall said although she does not disagree with the points raised, the calculations

are in line with the current process. Ms. Almeida said DSD has covered its costs in the plan review and we would not be able to give them a refund for the plan review. Commissioner Holton is frustrated that the applicant used the system multiple times, and he is going to make sure we have a bulletproof fee schedule in the future. Commissioner Van Beek said people coming in should know what products they want to choose and given the amount of staff time spent she proposes a refund of \$500. Director Minshall said this discussion will help staff review the fee proposed schedule. Commissioner Holton suggested staff contact the State of Idaho to see what they have chosen to do in electrical, plumbing, HVAC and mechanical areas.

Freedom Forever, Permit nos. BP2024-0417, BP2024-0368, and BP2024-0393: This request is for three (3) solar permits that were pulled. The customer of the applicant on all 3 cases decided not to install the solar panels. The plan review is non-fundable; staff recommends a refund of 80% of the eligible building permit fee for a total refund amount of \$1,558.00.

Rosetta White, Case no. 2022-0099-APL: This is for an appeal of a Director decision that was filed in December of 2022. Staff did some initial consultation and intake; the applicant withdrew their request and applied for a nonviable land division in its place. In researching the amount of fees DSD utilized for the application, staff found that approximately 25% had been spent and they are recommending a refund in the amount of \$450.00. Follow-up discussion ensued.

Commissioner Holton proposes the following processing fees: 20% for the Idaho Youth Ranch; 20% for Gregory Parker; 50% for Destiny Platt; 20% for Freedom Forever; and 25% for Rosetta White. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to approve the refunds as stated by the Chairman. DSD prepared resolutions for each applicant where the amounts are summarized as:

- Idaho Youth Ranch \$480.00
- Gregory Parker \$480.00
- Destiny Platt \$504.75
- Freedom Forever \$1,558.00
- Rosetta White \$450.00

Director Minshall thanked the Board for the discussion and said these are things we will look at as part of the fee schedule update. (Resolution Nos. 24-197, 24-198, 24-199, 24-200, and 24-201 are included with this day's minute entry.) Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to adjourn at 11:20 a.m. An audio recording is on file in the Commissioners' Office.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED CATERING PERMIT

The Board approved Idaho Liquor Catering Permit for:

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

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 28, 2024

APPROVED CLAIMS

- The Board has approved claims 610343 to 610382 in the amount of \$210,597.28
- The Board has approved claims 610383 to 610423 in the amount of \$113,811.11
- The Board has approved claims 610424 to 610464 in the amount of \$371,175.22
- The Board has approved claims 610505 to 610544 in the amount of \$82,300.27
- The Board has approved claims 610545 to 610575 in the amount of \$111,361.06
- The Board approved claim 610777 ADV in the amount of \$454.00

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 29, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

- Vanessa Lopez, Deputy Sheriff - Inmate Control
- William Hopkins, Deputy Sheriff - Security Services

APPROVED CATERING PERMIT

The Board approved Idaho Liquor Catering Permit for:

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

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. Trent McRae, Assistant Facilities Director Carl Dille (left at 9:34 a.m.), Building Inspector Tom Crosby, Director of DSD Sabrina Minshall (arrived at 9:34 a.m.), and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Independent Contractor Agreement for Kitchen Flooring and Installation in the Dale Haile Detention Center: Mr. McRae explained this was a project that needed to be done expediently. BSU did similar project so the county was able to use the 'piggyback' provision in Idaho State code to avoid the typical procurement process. The cost difference between the county and BSU is due to the material chosen by the county vs. the university. The anticipated completion timeframe is 30-days. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the independent contractor agreement for kitchen flooring and installation in the Dale Haile Detention Center (agreement no. 24-144).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:35 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Building Inspector Tom Crosby, and Director of DSD Sabrina Minshall. Mr. McRae, Mr. Crosby and Ms. Minshall left at 10:00 a.m. The Executive Session concluded at 10:14 a.m. with no decision being called for in open session.

The meeting concluded at 10:14 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 10:35 a.m. for a DSD general business meeting. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley (left at 11:23 a.m.), Director of Development Services Sabrina Minshall, Assistant Director of DSD Jay Gibbons, Planning Supervisor Carl Anderson, Director of Constituent Services Aaron Williams, and Deputy Clerk Jenen Ross.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 10:36 a.m. pursuant to Idaho Code, Section 74-206(1) (a), (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, Deputy P.A. Zach Wesley (left at 11:23 a.m.), Director of Development Services Sabrina Minshall, Assistant Director of DSD Jay Gibbons, Planning Supervisor Carl Anderson, and Director of Constituent Services Aaron Williams. The Executive Session concluded at 11:23 a.m. with no decision being called for in open session.

Following the executive session, Director Minshall provided a document to the Board which covered fiscal year case status reports of GIS metrics, DSD Administration metrics, and Code Enforcement metrics. A copy of this document is on file with this day's minutes.

The meeting concluded at 11:28 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:36 p.m. to conduct a public hearing in the matter of a request by William Mason for approval of the preliminary plat and the irrigation and drainage plans for Bad River Subdivision, Case No. SD2022-0005. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assistant DSD Director Jay Gibbons, William Mason, Tammy Satterwhite, Mark

Satterwhite, Tenaya Loening, Tanya Perkins, Brent Wecker, Cleon Hoagland, other interested citizens, and Deputy Clerk Monica Reeves.

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

Assistant DSD Director Jay Gibbons gave the oral staff report. Bad River Subdivision consists of four residential lots and two road lots. A public road provides access to the existing home that would be the new Lot No. 4 and there is a private road to the northwest that will feed the three new vacant residential lots. The property has irrigation and is currently set up with a water source at the top end of the central portion. The water shares will be shared between the four lots and there is a water plan that will be agreed to by the new owners. The existing road, Coyote Trail Lane, provides access to the new lots as well as the two houses that are not a part of Murrel Subdivision. There is a 60-foot road easement on the road lot and the existing private road does not rise to the level of needing to be paved at this point, however, should other properties in the future re-develop, split, or create new ones and they want access to Coyote Trail Lane everybody is in agreement that it could necessitate paving. There is an existing RUMA (road users' maintenance agreement) with the property owners to the northwest that take their access off the road. The P&Z Commission recommended approval subject to conditions, including ones that satisfy their concerns with the private road. Lot Nos. 1, 2, and 3 are new 7-acre parcels and as part of the rezone they entered into a development agreement where each lot had to be a minimum of seven acres and they had to set aside a 1-acre building lot to ensure six of those acres would remain in agriculture. The plat is in conformance with that requirement. The fourth lot consists of 22.4 acres and will remain in agriculture. Bad River Lane is the second private road and it takes access off Coyote Trail Lane and only provides access and turnaround for the three new lots. The applicants have an irrigation and drainage plan that will be agreed to at the time of final plat or upon sale of the lots. Per the Black Canyon Irrigation District, drainage is not allowed in the creek or waterway so they have provisions in place to take care of that within the property itself. There is a water and irrigation easement specific to how those shares are split. Each lot will have an individual well and septic to be signed approved by SWDH at the time of final plat. Hill Road is a public road that runs north/south, and Coyote Trail Lane is perpendicular to that and the highway district has said there will be improvements at the intersection of that road. Secondary dwelling units were prohibited in the development agreement. The Melba Fire District did not provide comment, but each lot will have to ensure compliance with the fire code at the time of building permit; there will be more follow-up with the fire district at that time. The plat complies with the conditions of the conditional rezone. The only agency comment staff received for the Board's hearing was from the Boise Project Board of Control which reiterated they do not want landscaping or new roads within their irrigation easement. Staff is recommending approval

subject to the nine conditions as recommended by the P&Z Commission. Following Assistant DSD Director Gibbons' report, he responded to questions from the Board. Commissioner Van Beek asked if the County will have to deal with the average daily trips exceeding 100 with the secondary dwellings they are allowed on properties? Assistant DSD Director Gibbons said Condition No. 8 speaks to that. There may be potential that those two parcels that are not part of the subdivision could potentially have a secondary dwelling unit. The roadway does not run adjacent or through any other development properties per se. Further discussion ensued. Commissioner Van Beek asked what would stop them from asking for future splits? Assistant DSD Director Gibbons said it would be a subdivision process and the Board could require additional improvements at that point. The way it stands they cannot do that without modifying their development agreement and going through another subdivision process. Commissioner Van Beek said she wants an organized plan for the roads and development out there.

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

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Holton said his concerns have been addressed in that there are two RUMAS, one for Coyote Trail Lane and one for the new subdivision. Commissioner Brooks agreed. Commissioner Van Beek said the P&Z Commission did a good job deliberating and getting to a place about the future concerns but she doesn't know that dividing and putting building envelopes will preserve any quality of agriculture even on a 20-acre piece, but nonetheless it's pretty rural out there still. It appears the plat is ready to move forward. Commissioner Holton said the larger decisions were made in other hearings and the applicants have met all of the issues of the development agreement. He noted that the existing fence will have to be taken care of before the final plat. The Board reviewed the draft FCO's and the nine conditions of approval. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve Case No. SD2022-0005 preliminary plat, irrigation and drainage plan for Bad River Subdivision, subject to the conditions of approval as enumerated herein. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 2:12 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 31, 2024

APPROVED NOVEMBER 1, 2024 PAYROLL

- The Board approved the November 1, 2024 payroll in the amount of \$2,195,549.40

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for:

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

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. Laura Keys, Deputy P.A. Trent McRae, DSD Director Sabrina Minshall (left at 9:36 a.m.), Principal Planner Michelle Barron (left at 9:36 a.m.), Assessor Brian Stender, Chief Deputy Assessor Greg Himes, Sr. Systems Analyst Steve Onofrei, Treasurer Jennifer Watters, HR Director Marty Danner, COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Authorizing the Quitclaim of Parcel No. R34482012 to Highway District No. 4 (previously known as Canyon Highway District No. 4); and Consider County Quitclaim Deed of Parcel No. R34482012 to Highway District No. 4 (previously known as Canyon Highway District No. 4): The county owes \$580.38 in property taxes on this parcel but legal still thinks it is appropriate to transfer it to the highway district as it is adjacent to their property. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution authorizing

the quitclaim and the quitclaim deed of parcel no. R34482012 to Highway District No. 4 (previously known as Canyon Highway District No. 4). Resolution no. 24-203.

Consider Canyon County Weed & Pest Department Collections Services Agreement with Bonneville Billing and Collections, Inc.: This service will be used for Weed and Pest past due public debts. Legal has reviewed and noted that the standard agreement used by Bonneville Billing and Collections, Inc. is included as an exhibit. There is no cost to the county, fees are added to the debt amount owed. Commissioner Holton asked if an agreement can be drafted between the county and property owners when service is requested, noting that costs will be added to their property taxes if the bill is not paid. Ms. Keys said she could look into the legalities of this. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the Canyon County Weed & Pest Department collections services agreement with Bonneville Billing and Collections, Inc. (agreement no. 24-145).

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

EXECUTIVE SESSION – COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION

Commissioner Van Beek made a motion to go into Executive Session at 9:46 a.m. pursuant to Idaho Code, Section 74-206(1) (f) 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. Laura Keys, Deputy P.A. Trent McRae, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, Sr. Systems Analyst Steve Onofrei, Treasurer Jennifer Watters, HR Director Marty Danner, and COO Greg Rast. Assessor Brian Stender, Chief Deputy Assessor Greg Himes, Sr. Systems Analyst Steve Onofrei, Treasurer Jennifer Watters left at 10:19 a.m. The Executive Session concluded at 10:45 a.m. with no decision being called for in open session.

The meeting concluded at 10:45 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 10:45 a.m. for the DSD general business meeting. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Office Manager Jennifer Almeida, Deputy PA Trent McRae, Chief Civil Deputy PA Aaron Bazzoli, COO Greg Rast, and Deputy Clerk Monica Reeves. Director Minshall said at the last meeting the discussion left off with the case status reports and today she wants to start with a legislative issue/ordinance issue

that will probably be discussed in Executive Session first and then come back to the case questions. The Board decided to consult with legal counsel in Executive Session as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 10:46 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and to communicate with the County's 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 Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, Deputy PA Trent McRae, Chief Civil Deputy PA Aaron Bazzoli, and COO Greg Rast. The Executive Session concluded at 11:16 a.m. with no decision being called for in open session.

The DSD general business meeting resumed in open session. Present were: Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Office Manager Jennifer Almeida, Chief Civil Deputy PA Aaron Bazzoli, COO Greg Rast, and Deputy Clerk Monica Reeves. Assistant Director Gibbons presented the Board with a copy of the hearing schedule template that staff will send to applicants to let them know they will go first and are responsible for presenting their project, and advising them of the materials deadline. Other handouts included a draft document titled *Comprehensive Plan Amendment-Rezones-Developments*; and a copy of Title 67, Chapter 65 Local Land Use Planning. On Tuesday, staff provided the Board with copies of the statistics for the GIS division, DSD administration, and code enforcement for FY2024 and that information was reviewed again today. They want to show the Board how the hearing application process works and the steps from the time the application is submitted to the final hearing and where in the process all of the assigned applications are so the Board can see the progress that's being made and potentially what some of the holdups are. Commissioner Holton asked DSD to work with the Constituent Services Director to post that information on the website. Commissioner Van Beek would like citizens to have the ability to check the status of their case online. Director Minshall said staff has wanted to have an App where people can check their case status, but her hesitation is making sure the processes and what they have been working on for the past 18 months are streamlined and that those process improvements have been made. The second piece is the applicant knowing what they need to do and that is direct interaction with their planner. The department has worked through some very messy cases with multiple changes in ownership and there are still a few more coming, but that's a different story than moving forward. Maybe eventually there could be a portal and they do have ProjectDox which is where a lot of that could be picked up. Assistant Director Gibbons agreed with the points made but said they are not yet to that point. Planning Supervisor Carl Anderson said there are two different elements to consider: an online portal where the public can see general case status numbers; and once they are able to implement the

ProjectDox software for the hearing cases the applicants can see where their case is at in the review process. Commissioner Holton wants to resume this conversation at next Tuesday's meeting. The meeting concluded at 11:32 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH HR DIRECTOR TO DISCUSS APPROVAL OF NEW POLICIES

The Board met today at 11:38 a.m. for a meeting with the HR Director to discuss approval of new policies with the following action item: consider resolution approving two new policies to the current employee handbook, and updating section 3.10 reemployment portion of the current employee handbook. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, HR Director Marty Danner, COO Greg Rast, Chief Civil Deputy PA Aaron Bazzoli, and Deputy Clerk Monica Reeves. Commissioner Holton opened the meeting and said there is an issue for legal counsel and he would like to go into Executive Session.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 11:38 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter and to discuss records exempt from public discussion. 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 Chief Civil Deputy PA Aaron Bazzoli. The Executive Session concluded at 12:32 p.m. with no decision being called for in open session. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to adjourn.

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

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

THE MINUTES OF THE FISCAL TERM OF OCTOBER 2024 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this _____ day of _____, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek

Commissioner Brad Holton

Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: _____, Deputy Clerk