

APPROVED CLAIMS

- The Board has approved claims 601794 to 601795 in the amount of \$664,571.05
- The Board has approved claims 601717 to 601756 in the amount of \$685,063.96

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hyland Software in the amount of \$5,516.00 for the Information Technology department
- Dell in the amount of \$18,288.65 for the Information Technology department
- Corwin Ford in the amount of \$46,464.00 for the Fleet department

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 to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Solid Waste Director David Loper (left at 10:03 a.m.), Director of Misdemeanor Probation Jeff Breach (left at 9:32 a.m.), Facilities Director Rick Britton (left at 9:36 a.m.), Director of Constituent Services Rick Hogaboam (arrived at 9:58 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

Consider Resolution Classifying Records of Canyon County Misdemeanor Probation and Authorizing Destruction of Closed Offender Supervision Files: Director Breach explained these are paper files that have been closed with no activity for at least 2 years. Additionally, the records are digitally maintained in Odyssey. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution classifying records of Canyon County Misdemeanor Probation and authorizing destruction of closed offender supervision files (resolution no. 24-001).

Consider Seller's Property Condition Disclosure Form for 1224 Albany Street, Caldwell Idaho: This is a necessary part of the real estate agreement which discloses the condition of the property. Mr. Ericson said there is a signature page and some spots that will require one Board member initials. Commissioner Van Beek made a motion for the Board to sign the seller's property condition disclosure form for 1224 Albany St., Caldwell Idaho and for her to initial in the necessary places. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider Assignment and Assumption Agreement Addendum for property located at 1302 Albany Street, Caldwell, Idaho: This addendum is to correct a misspelling in the original contract. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted

unanimously to sign the assignment and assumption agreement addendum for property located at 1302 Albany Street, Caldwell, Idaho (agreement no.24-001).

Consider Disclosure of Information on Lead-Based Paint for property located at 1302 Albany Street, Caldwell, Idaho: This is a necessary part of the real estate agreement which discloses the condition of the property. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the disclosure of information on lead-based paint for property located at 1302 Albany Street, Caldwell, Idaho.

Consider Independent Contractor Agreement with Great West Engineering, Inc. for Pickles Butte Landfill Waste Screening Training: Director Loper explained this is a new training to enhance the safety program at the landfill which he would ideally like to do annually. The training will be for all 29 landfill employees but will be broken into different segments so the landfill can continue to operate. This training was budgeted for in FY24 and came in under budget. Based on a question from Commissioner Van Beek, discussion ensued regarding the cost and if the training could be done by the in-house safety and risk manager. Following discussion, the Board had a better understanding of the cost and Mr. Slack, who is the county's Risk and Safety Manager, doesn't have the breadth of knowledge for this specialized safety training but would like to attend with the landfill employees. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreement with Great West Engineering, Inc. for Pickles Butte Landfill Waste Screening training (agreement no. 24-002).

Consider Extension No. 1 to Contractor Agreement No. 23-052 with SCS Field Services for the Installation of the Gas Collection System and Flare Station Components: A letter of substantial completion was received December 20th however there is still one monitoring well that needs to be installed. Start-up of the system is scheduled for January 8th, with final completion deadline for compliance being March 2024. This extension goes thru January 20th to allow for the installation of the final monitoring well and the start-up. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign extension no. 1 to contractor agreement no. 23-052 with SCS Field Services for the installation of the gas collection system and flare station components (agreement no. 24-003).

Consider a resolution approving an alcoholic beverage license for Kum & GO L.C. dba Maverick #5407: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving an alcoholic beverage license for Kum & GO L.C. dba Maverick #5407 (resolution no. 24-002).

Consider a resolution for a change in application requested by McNabbs Vape Lounge LLC dba McNabbs Vape Lounge: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution for a change in application requested by McNabbs Vape Lounge LLC dba McNabbs Vape Lounge (resolution no. 24-003).

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 10:05 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Director of Constituent Services Rick Hogaboam and COO Greg Rast. The Executive Session concluded at 10:26 a.m. with no decision being called for in open session.

The meeting concluded at 10:27 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

ACTION ITEMS: CONSIDER CASUALTY LOSS APPLICATION FOR STW INVESTMENTS, LLC; AND CONSIDER TREASURER'S TAX CHARGE ADJUSTMENTS BY PIN FOR NOVEMBER, 2023

The Board met today at 10:41 a.m. to consider a casualty loss application for STW Investments, LLC; and to consider the Treasurer's tax charge adjustments by PIN for November, 2023. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Director of Constituent Services Rick Hogaboam, Deputy Treasurer Tonya May, and Deputy Clerk Monica Reeves. Treasurer Tracie Lloyd arrived at 10:53 a.m. The items were considered as follows:

Consider Casualty Loss Application for STW Investments, LLC: The casualty loss occurred on July 16, 2023. The Board reviewed the assessment information which indicated the total taxable value to be forgiven (after casualty loss) is \$57,400. There were questions about the improvement value and calculations. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the casualty loss application for STW Investments, LLC, in the amount of \$437.23, not the applied for full amount.

Consider Treasurer's Tax Charge Adjustments by PIN for November 2023: Commissioner Van Beek had some questions on some of the adjustments so Commissioner Holton made a motion to continue the meeting to January 3, 2024 at 10:00 a.m. so a representative from the Treasurer's Office could attend. The motion was seconded by Commissioner Brooks and carried unanimously. The Board adjourned at 10:51 a.m. Treasurer Lloyd arrived at 10:52 a.m. and so the Board vacated its earlier decision to reschedule this meeting and instead took up the matter. Commissioner Van Beek had a question about the inactive account transfer for PIN 34589013 0, and she asked for an explanation of the accounts that have a note stating: "City of Nampa De-Annexation". Treasurer Lloyd said PIN 34589013 0 was two parcels and in 2023 they were combined into one. The other properties were

in question were de-annexed but they have a city limit levy and so she adjusts off everything but the bond since they are still required to pay on the bond. Upon the motion of Commissioner Holton and second by Commissioner Brooks, the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for November 1-30, 2023.

The meeting concluded at 10:56 a.m. An audio recording is on file in the Commissioners' Office.

MEET NEW EMPLOYEES IN THE DEVELOPMENT SERVICES DEPARTMENT

The Board met today at 11:00 a.m. with newly hired employees in the Development Services Department. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Planning Supervisor Carl Anderson, Principal Planner Hether Hill, COO Greg Rast, Director of Constituent Services Rick Hogaboam, and Deputy Clerk Monica Reeves. Mr. Gibbons, Mr. Anderson, and Ms. Hill spoke of their respective education, background and experiences. The Board welcomed the new employees, and Director Minshall and COO Rast offered comments on the proactive adjustments being made in order to make everything work better. At the conclusion of the introductions at 11:13 a.m., COO Rast said Director Hogaboam requested an Executive Session for an update around DSD:

EXECUTIVE SESSION – DISCUSS A PERSONNEL MATTER

Commissioner Van Beek made a motion to go into Executive Session at 11:14 a.m. pursuant to Idaho Code, Section 74-206(1) (a) to discuss a personnel matter. 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, Planning Supervisor Carl Anderson, Principal Planner Hether Hill, COO Greg Rast, Director of Constituent Services Rick Hogaboam, and Deputy Clerk Monica Reeves. The Executive Session concluded at 11:33 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 FY2023 INDIGENT DEFENSE EXPENDITURE REPORT

The Board met today at 11:34 to consider the FY2023 indigent defense expenditure report. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Public Defender Aaron Bazzoli participated via teleconference, COO Greg Rast and Deputy Clerk Jenen Ross.

This is a report showing what was expended in 2023. Mr. Bazzoli explained he reviews PowerPlan to know exactly what was expended the previous year and to account for the funds that were received from the grant and expended by the county. The funds are used to offset the cost of public defense and are expended first to ensure they are fully used. Commissioner Van Beek made a motion to sign the FY2023 indigent defense expenditure report. The motion was seconded by Commissioner Brooks and carried unanimously. A copy of the report is on file with this day's minutes.

The meeting concluded at 11:41 a.m. and an audio recording is on file in the Commissioners' Office.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 3, 2024

No meetings were held today.

APPROVED CLAIMS

- The Board has approved claims 601757 to 601793 in the amount of \$56,619.22
- The Board has approved claims 601796 to 601835 in the amount of \$72,434.12
- The Board has approved claims 601836 to 601851 in the amount of \$8,330.00
- The Board has approved claims 601852 to 601901 in the amount of \$166,782.05

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Erin Bullard, Treatment Coordinator, 3% General Wage Increase for FY2024
- Trina Harrell, Temporary Elections Worker
- Shane Sears, Temporary Elections Worker
- Bonnie Wood, Temporary Elections Worker
- Jamie Siewert, Temporary Elections Worker

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Legends Sports Pub & Grill to be used 1/13/24; Craft Lounge to be used 1/21/24; and Capitol Bar to be used 1/7/24.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 4, 2024

APPROVED CLAIMS

- The Board has approved claim 601938 in the amount of \$4,697.97

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Kendall in the amount of \$47,071.00 for the Fleet department (PO #5947)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Aaron Lasley, IT Business Analyst
- Julio Ortega, Computer Network Tech

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 an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Solid Waste Director David Loper (left at 9:37 a.m.), Director of Constituent Services Rick Hogaboam (arrived at 9:35 a.m.), Mark Christiansen (left at 9:37 a.m.) and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Resolution to Make an Appointment to the Solid Waste Advisory Committee (SWAC):

Director Loper explained that Fred Butler was no longer able to serve and the SWAC recommends appointing Mark Christiansen to represent the District I position. Additionally, this resolution will reappoint Mr. Murray to the City of Middleton position. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution appointing Mr. Christiansen as the District I representative and Mr. Murray as the City of Middleton representative to the Solid Waste Advisory Committee (resolution no. 24-004).

EXECUTIVE SESSION – PERSONNEL MATTER, 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 9:38 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding a personnel matter, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley and Director of Constituent Services Rick Hogaboam. The Executive Session concluded at 10:24 a.m. with no decision being called for in open session.

Commissioner Holton noted that the legal staff update will be continued to 3:00 p.m. today.

The meeting concluded at 10:24 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER CERTIFICATES OF NONCOMPLIANCE FOR PUBLIC NUISANCE, BUILDING OR STRUCTURE VIOLATIONS

The Board met today at 10:34 a.m. to consider certificates of noncompliance for public nuisance, building or structure violations. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur, Director of DSD Sabrina Minshall, Director of Constituent Services Rick Hogaboam and Deputy Clerk Jenen Ross.

Mr. Arthur provided a history and timeline of each property and possible remediation of certain properties.

Public nuisance violations

- **19232 Cindy, Caldwell (R22484):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for 19232 Cindy, Caldwell (R22484).
- **12018 Long, Middleton (R24062):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for 12018 Long, Middleton (R24062).

The Board went off the record from 10:47 a.m. to 10:49 a.m.

Building violations

- **27959 Rabbit Brush, Caldwell (R37886109):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for 27959 Rabbit Brush, Caldwell (R37886109).
- **9357 Purple Sage, Middleton (R37594010F):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for 9357 Purple Sage, Middleton (R37594010F).
- **15414 Malt, Caldwell (R32949):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for 15414 Malt, Caldwell (R32949).
- **28286 Peckham, Wilder (R36887010):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for 28286 Peckham, Wilder (R36887010).

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

MONTHLY MEETING WITH THE ADMINISTRATIVE DISTRICT JUDGE AND THE TRIAL COURT ADMINISTRATOR

The Board met today at 1:36 p.m. for a monthly meeting with the Administrative District Judge and the Trial Court Administrator. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Constituent Services Rick Hogaboam (left at 1:46 p.m.), Interim TCA Benita Miller, Deputy TCA Laura Kiehl, Chief Judicial Marshal James West, COO Greg Rast, Judge Davis Vander Velde (arrived at 1:41 p.m.) and Deputy Clerk Jenen Ross.

Ms. Miller and Ms. Kiehl reported that this year the jury commissioner started asking if jurors would like to donate back their payment and by doing so had approximately \$7000 donated in October and November. They would like to use the donated fees to enhance the jury experience by providing additional amenities or childcare vouchers for jurors that would not need to be taxpayer funded. Previously there was a Jury Assistance Fund in the budget for this, but that line item is no longer showing in their budget and there is an issue about this not actually being revenue for the county. Mr. Rast suggested he has some ideas on this so he and Ms. Miller will speak at a later time.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 1:46 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding a personnel matter and records exempt from public disclosure. 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, Interim TCA Benita Miller, Deputy TCA Laura Kiehl, Chief Judicial Marshal James West, COO Greg Rast and Judge Davis Vander Velde. The Executive Session concluded at 2:18 p.m. with no decision being called for in open session.

The meeting concluded at 2:19 p.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

ACTION ITEMS: SIGN CLOSING DOCUMENTS FOR PROPERTIES LOCATED AT 1302 ALBANY AND 1224 ALBANY STREET, CALDWELL, IDAHO

The Board met today at 2:36 p.m. to sign closing documents for properties located at 1224 Albany Street and 1302 Albany Street in Caldwell. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Facilities Director Rick Britton, Vicki Hunsperger, Pioneer Title Company Escrow Officer, and Deputy Clerk Monica Reeves. The signing took place at Pioneer Title Company in Caldwell and those present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Facilities Director Rick Britton, Escrow Officer Vicki Hunsperger, and Deputy Clerk Monica Reeves. The property located at 1224 Albany is being purchased from Shark Fin, LLC, for \$330,000; and the property located at 1302 Albany is being purchased from Innovative Wealth Group, LLC, for \$330,000. The signing concluded at 2:53 p.m., and the signed documents are on file with this day's minute entry.

CONTINUATION OF EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

At 3:06 p.m. the Board met for a continuation of an Executive Session from this morning's legal staff update. Commissioner Van Beek made a motion to go into Executive Session at 3:07 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, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, and COO Greg Rast. COO Rast left at 3:35 p.m. The Executive Session concluded at 3:58 p.m. with no decision being called for in open session.

JANUARY 2024 TERM
CALDWELL, IDAHO JANUARY 5, 2024

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- Playhouse Boise Inc. to be used 1/12/24

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- reMarkable in the amount of \$9,126.00 for the Information Technology department
- Southern Idaho Electric in the amount of \$38,170.00 for the Facilities department
- Southern Idaho Electric in the amount of \$42,750.00 for the Facilities department

APPROVE EMPLOYEE STATUS CHANGE FORMS

The Board approved the following employee status change forms:

- Cody Bailey – Deputy Sheriff transferring from Detention -Inmate Control to Patrol – Field Services, effective 1/8/2024
- Samantha Chamberlain – Deputy Sheriff transferring from Detention Inmate Control to Emergency Communications Officer I – Dispatch, effective 1/8/2024
- Cameron Goetz – Deputy Sheriff transferring from Detention – Inmate Control to Patrol – Field Services, effective 1/8/2024
- Chaz Howell – Deputy Sheriff promoting to Corporal – Inmate Control, effective 1/8/2024
- Travis Lowber – Deputy Sheriff – SRO (School Resource Officer) will have Detective Pay added, effective 1/8/2024
- Christopher Odenborg – Deputy Sheriff – METRO Task Force transferring to CID and promoting to Corporal, effective 1/8/2024
- Jacob Hernke – Deputy Sheriff transferring from Detention -Inmate Control to Patrol – Field Services, effective 1/8/2024
- Justin Hambley – Deputy Sheriff transferring from SRO to METRO Task Force, effective 1/8/2024
- Jamison Pfaff – New Hire, Deputy Sheriff – Inmate Control with 4.5 years’ experience starting 1/8/2024
- Darr Anderson – Deputy Sheriff transferring from Patrol – Field Services to SRO, effective 1/8/2024
- Kannan Walter – New Hire, Deputy Sheriff – Inmate Control starting 1/8/2024
- Ryan Mills – Rehire, Deputy Judicial Marshal

SPECIAL MEETING: EXECUTIVE SESSION REGARDING A PERSONNEL MATTER, RECORDS THAT ARE EXEMPT FROM PUBLIC DISCLOSURE, TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION, AND TO COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

At 10:04 a.m. Commissioner Van Beek made a motion to go into Executive Session pursuant to Idaho Code, Section 74-206(1) (b), (d), (f), and (i) regarding a personnel matter, records that are exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation, and to communicate with the risk manager regarding pending/imminently likely claims. *(Note - The agenda referenced sections (1)(d) and (f); the motion included additional code sections (b) and (i)).* 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, HR Director Kate Rice, HR Business Partner Kendra Elgin, Cherese McClain with MSBT Law, and David Leroy. The Executive Session concluded at 11:20 a.m. with no decision being called for in open session.

JANUARY 2024 TERM
CALDWELL, IDAHO JANUARY 8, 2024

No meetings were held today.

APPROVED CLAIMS

- The Board has approved claims 601939 to 601976 in the amount of \$88,884.61

JANUARY 2024 TERM
CALDWELL, IDAHO JANUARY 9, 2024

APPROVED CLAIMS

- The Board has approved claims 601977 to 601995 in the amount of \$25,118.07
- The Board has approved claims 601902 to 601937 in the amount of \$154,920.51

APPROVE EMPLOYEE STATUS CHANGE FORMS

The Board approved the following employee status change forms:

- Sean Jorgensen, Deputy Public Defender I
- Dalia Alhajjar, Engineering Supervisor
- Ryan Regis, Deputy Sheriff, Inmate Control - Remove CERT Pay
- Laura Dennison, Deputy Sheriff, Inmate Control

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 1/19/24 and 1/20/24; Legends Sports Pub & Grill to be used 2/11/24; Capital City Event Center to be used 1/27/24; and O'Michael's Pub & Grill to be used 1/20/24.

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Facilities Director Rick Britton, HR Director Kate Rice, HR Risk and Safety Business Partner Howard Slack, COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Animal Shelter Roof Replacement Project Agreement: Mr. Ericson spoke about a couple typos he noticed in the agreement this morning and the revisions they made to correct those. Director Britton explained that this contract is to replace the flat roof on the animal shelter; it is not part of the canvas roof currently being replaced. Replacement of the roof has been included in the animal shelter budget and due to the contract being under the \$50,000 threshold bids were not required. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the animal shelter roof replacement project agreement (see agreement no. 24-004).

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

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

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), (f) and (i) regarding records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Facilities Director Rick Britton, HR Director Kate Rice, HR Risk and Safety Business Partner Howard Slack and COO Greg Rast. The Executive Session concluded at 9:59 a.m. with no decision being called for in open session.

Commissioner Holton noted that the executive session will be continued to 2:30 p.m. today.

The meeting concluded at 9:59 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:31 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Assistant Director of DSD Jay Gibbons, DSD Office Manager Jennifer Almeida and Deputy Clerk Jenen Ross.

Ms. Almeida provided a background on each case and the reasons for refunds. Detailed reasons and information about each case is on file with this day's minutes.

Consider a resolution to issue a refund to Viktor Onofrechuck for an unnecessary administrative land division application: Upon the motion of Commissioner Brooks and second by Commissioner Van

Beek the Board voted unanimously to issue a refund of \$330 to Viktor Onofrechuck (resolution no. 24-005).

Consider a resolution to issue a refund to DeBest Plumbing, Inc. for an incorrectly accepted mechanical permit application: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to issue a refund of \$319.76 to DeBest Plumbing (resolution no. 24-006).

Consider a resolution to issue a refund to Lakeshore Land Holdings, LLC for an unnecessary sign permit application, case no. SG2023-0002: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to issue a refund of \$600 to Lakeshore Land Holdings LLC (resolution no. 24-007).

Consider a resolution to issue a refund to Freedom Forever for nine (9) withdrawn building permit applications: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to issue a refund of \$5050.80 to Freedom Forever (resolution no. 24-008).

The meeting concluded at 10:39 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY JEFF VANWINKLE FOR APPROVAL OF A SHORT PLAT FOR VANWINKLE SUBDIVISION, CASE NO. SD2022-0046

The Board met today at 1:30 p.m. to consider a request by Jeff VanWinkle for approval of a short plat for VanWinkle Subdivision, Case No. SD2022-0046. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Principal Planner Dan Lister, Assistant Director of DSD Jay Gibbons, Jeff VanWinkle, other interested persons, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that in November of 2022 Mr. VanWinkle contacted her with concerns about the timelines on the application and she forwarded that information to DSD who worked with him on resolving those issues. The Board decided to forgo the testimony guidelines since the applicant is the only person who has signed up to testify.

Principal Planner Dan Lister gave the oral staff report. The development consists of two residential lots and is located at 7388 Desert Wolf Lane. Both lots will be served by individual well and septic systems and access will be from an existing private road. Domestic wells will irrigate up to half-acre feet, and drainage will be maintained by each property owner. The engineer found this to meet the requirements. The property is located within the City of Star Impact Area and the city has waived all city requirements because it is rural and is not required to have city improvements. When the rezone was approved the property was in the Middleton impact area, but when they applied for the subdivision it was in Star's impact area. There is no water rights so they will utilize a domestic well. The private road currently serves six dwellings, and per the private road code it has to meet fire district standards for access and must be constructed to the minimum

requirements for less than 100 average daily trips. Staff found the road to be inconsistent with the County code for private roads that serve less than 100 average daily trips. It was determined that a condition would require the road to meet construction standards prior to the signing of the final plat. On January 18, 2023, the Hearing Examiner recommended approval subject to four conditions. Construction of the road has to be completed prior to the final plat signing and evidence would be a letter from the Star Fire District stating it meets their access requirements, and certification from an engineer that the road was constructed to minimum standards. The rest of the conditions have to do with sign off from other agencies, and ensuring the notes on the plat address the runoff and the domestic well. According to Planner Lister, Condition 1.a has not been met; staff has not received a letter from the fire district nor do they have certification that the private road meets County standards. The final plat is not ready to be signed because the conditions have not been met. Following his review, Mr. Lister responded to questions from the Board about the floodplain, hillside development, planning for xeriscape, use of a well, the private road and the highway district's road approach as well as the irrigation plan.

Jeff VanWinkle testified that the mylar has been updated and has been signed by the City of Star, Southwest District Health, and Canyon Highway District. The Star Fire Department has approved the road and they sent a letter to Stephanie Hailey in the Development Services Department. He has been trying to get this done since April of 2021. His neighbor did the same thing through an administrative split in less than nine months, but Mr. VanWinkle's property was treated differently. As houses have been built from Blessinger Road to his property line, the road has been brought up to County standards as part of the certificate of occupancy. Everything east of his property has been widened and approved by the County. He hired an excavator but none of his neighbors wanted to share in the cost so he had to pay for the road widening to 22 feet, which is two feet more than the County requires. The road was built to the higher standard with nine inches of compacted pit run and was covered with a road mix as requested by the Star Fire Department. He has photos of the road, but he does not have the engineering report. According to Mr. VanWinkle, engineering companies are backed up; one of the 13-month delays was waiting for the engineering when he switched from a land split to a plat. He wants to proceed with the split and said the County can hold the certificate of occupancy on the new house while they wait for the engineering report. He paid \$16,000 to bring the road to fire department standards and he started this process hoping he could split two acres off the end of his property to pay off his mortgage but now he has a second mortgage to pay for the cost of this process which is in excess of \$30,000. He reached out to Commissioner Van Beek at one point but she said it would be inappropriate for her to get involved and she referred him to the P&Z Commission. Mr. VanWinkle spoke about the staff turnover in DSD and how he never knows which staffer has his case, it's been a long and frustrating process. He does not yet have the County Treasurer's signature on the plat but hopes to have it by the end of the week.

Following Mr. VanWinkle's testimony, the Board has follow-up questions for staff and for the applicant. Planner Lister said the code requires certification by an engineer, especially if it's over 150 feet. There are a lot of lots divided by land division but the subdivision code does not apply to those land divisions so there are timing mechanisms for the road to be built at the time of certificate of occupancy, but for a plat signature any construction related to the plat has be

completed before signature of the plat. Mr. VanWinkle said it's not clear to him why the neighbors were allowed to do a land division but he had to go through the plat process that is difficult and expensive. Planner Lister said the property has been split into more than four properties from the original parcel and once a lot goes beyond the four divisions it has to meet platting requirements. There was further discussion regarding the road requirements. Commissioner Holton asked if the applicant would be amenable to the County trying to get an engineer to look at the road. Mr. VanWinkle said it depends on the cost; if it's another \$30,000 in engineering he cannot afford that. He was told by HMM Engineering the cost for certification would be \$3,500 to certify the road. Planner Lister said he can check with the County's consulting firms, BA Engineers and Keller Associates, to see if they have availability and find out what the cost would be. Mr. VanWinkle had no objection to that. Commissioner Holton made a motion to continue the hearing for Case No. SD2022-0046 to January 17, 2024 at 10:00 a.m. for the purpose of having information on the cost and availability of engineering firms so the Board can have that as part of the information before deliberating. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:19 p.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE, COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 2:31 p.m. pursuant to Idaho Code, Section 74-206(1) (d), (f), and (i) to discuss records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation, and to communicate with the County's risk manager regarding pending/imminently likely claims. (*Continued from earlier this morning.*) 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, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, Director of Constituent Services Rick Hogaboam, and Chief Operating Officer Greg Rast. The Executive Session concluded at 3:14 p.m. with no decision being called for in open session.

DISCUSSION AND POSSIBLE ACTION REGARDING STATUS OF TENANT IN PROPERTY LOCATED AT 1224 ALBANY STREET, CALDWELL, IDAHO

The Board met today at 3:30 p.m. for discussion and possible action item regarding the status of the tenant living at the property located at 1224 Albany Street, Caldwell, ID. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Facilities Director Rick Britton, COO Greg Rast and Deputy Clerk Jenen Ross. A copy of the previous rental agreement has been forwarded to the Board and Director Britton is in possession of a \$1400 check which is the deposit and prorated amount from when the renter moved in recently. Director Britton would like to have full possession of the house by May 1st and following discussion it was

agreed that the renter will be given 3 months to find other living arrangements. Director Britton (with help from a Spanish speaking member of his staff) will have a face-to-face conversation about this with the renter with a follow-up letter reiterating the information. The county will deposit the \$1400 check as “rent” for the next few months.

The meeting concluded at 3:36 p.m. and an audio recording is on file in the Commissioners’ Office.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 10, 2024

There were no meetings scheduled today.

APPROVED CLAIM

- The Board has approved claim 601966 in the amount of \$1,979.26

APPROVED JANUARY 12, 2024 PAYROLL

- The Board approved the January 12, 2024 payroll in the amount of \$2,419,796.07

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- BOE in the amount of \$7,713.00 for the Information Technology Department (PO #5971)
- ACCO in the amount of \$7,783.00 for the Facilities Department (PO #5925)

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 11, 2024

APPROVED CLAIM

- The Board has approved the December jury claim in the amount of \$2,385.51

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Hart Intercivic, Inc., in the amount of \$3,595.00 for the Elections Office (PO #5942)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Ashley Erickson, Clerk II
- Masie Hancock, Clerk II

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:35 a.m. with county attorneys for a legal staff update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas (left at 9:43 a.m.), Deputy P.A. Zach Wesley, COO Greg Rast, Director of Constituent Services Rick Hogaboam (arrived at 9:49 a.m.) and Deputy Clerk Jenen Ross.

Mr. Rast explained that Sgt. Bingham in the Sheriff's Office would like to have the towing ordinance updated as they are starting to enforce it. He explained that he forwarded Article 19 of the current ordinance and the proposed new language to legal for their review. Ideally, rates need to be included and reviewed on an annual bases similar to the State thru ISP. Mr. Klaas said legal has not yet had a chance to review the documents but based on this initial conversation believes that rates would be established thru a resolution. Legal will review the information that has been sent to them and provide information to the Board at a later meeting.

Zach Wesley spoke about the fiduciary liability policy for the Health Plan Trust. There is now an option to renew with the a \$1M limit at \$7200 per year which is twice the amount of coverage for only a \$2500 difference from what is currently being paid. The Board is supportive of moving forward with this increased coverage.

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 9:45 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, COO Greg Rast and Director of Constituent Services Rick Hogaboam (arrived at 9:49 a.m.). The Executive Session concluded at 9:55 a.m. with no decision being called for in open session.

The meeting concluded at 9:56 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER FINAL PLAT FOR LAKE SHORE NO. 4, CASE NO. SD2023-0021

The Board met today at 10:30 a.m. to consider the final plat for Lake Shore No. 4, case no. SD2023-0021. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Engineering Coordinator Stephanie Hailey, Director of Constituent Services Rick Hogaboam, COO Greg Rast, Rep for Lake Shore No. 4 and Deputy Clerk Jenen Ross.

Ms. Hailey provided the staff report stating that the development is zoned C2 – Service Commercial. There are 3 commercial lots, 1 private road lot, well irrigation and shared well and septic. The preliminary plat for Lake Shore no. 4 was approved by the Board of County Commissioners on April 15th 2021 subject to 7 conditions of approval. County engineering reviewed and approved the final plat and construction drawings, participated in a post construction site visit and compiled evidence for condition compliance. The county surveyor reviewed and signed the final plat. The final plat is in compliance with CCZO 7-17-13 and staff recommends that the Board of County Commissioners sign the final for Lake Shore No. 4. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the final plat for Lake Shore No. 4, case no. SD2023-0021. The meeting concluded at 10:33 a.m. and an audio recording is on file in the Commissioners’ Office.

MEETING WITH ELECTIONS OFFICE STAFF TO DISCUSS PURCHASE OF ADDITIONAL VOTING EQUIPMENT

The Board met today at 10:46 a.m. for a meeting with the Election Office to discuss the purchase of additional voting equipment, with a potential action item to consider signing purchase orders to Hart Intercivic, Inc., (Hart) for additional voting equipment. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Elections Office Manager Haley Hicks, Elections Operations Supervisor Brandi Long, Indigent Services Director Yvonne Baker, Controller Zach Wagoner, Director of Constituent Services Rick Hogaboam, COO Greg Rast, JoDee Arnold, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Holton opened the meeting and said the Board doesn’t believe it has specific information on the purchase amount nor do they know the parameters that surround it and they are looking forward to being educated about that. Additionally, they questions about the Microsoft update since we are still running on Windows 7 and there is no security for it. Haley Hicks said they are waiting to hear when Hart will be here so they can begin the process of updating the machines to Windows 10.

Regarding the \$75,000 in HAVA (Help America Vote Act) funds, Ms. Hicks said she sent the quote and what they planned to do with the funding to the state and the finance director for the Secretary of State’s Office sent a response that said based on the proposed narrative for software upgrades and equipment, the Elections Office is approved to move forward with the purchases, and once the County pays the invoices they will issue a reimbursement up to the awarded amount. Commissioner Van Beek asked if it is a reimbursement or matching funds? Ms. Hicks said as long as we do a purchase that matches the amount they are reimbursing, that’s the first step, and once we show proof of purchase the state will send the reimbursement of the matching funds. Commissioner Van Beek asked if this is an annual allotment or a onetime qualifier of \$75,000? Controller Wagoner said HAVA dollars originate at the federal level so it will depend on what the

federal government allots and how they allot it. In this case they have allotted it to the state and the state has some control over how those monies are spent, and equipment would be a qualifying purchase. Commissioner Van Beek asked if there is more than \$75,000 available given that we have not applied for funding in previous years? Controller Wagoner said the County has received HAVA funds in prior years. Commissioner Brooks said the letter sent to the Board by the Elections Office states the amount is \$70,766, but references are now being made about \$75,000. Ms. Hicks confirmed the amount is \$70,766. The total cost for the upgrade is \$46,614, which includes batteries for the tablets, an additional workstation, and the upgrade. Controller Wagoner said the elections budget includes a lump sum of \$300,000 for the upgrade and investment in equipment, and Hart is waiting on approval of the \$46,614 amount. Ms. Hicks said Hart is waiting to get their schedules in place where they can send someone to do the update. They have the purchase order that was approved by a Board majority on December 4, 2023 in the amount of \$46,614. Commissioner Van Beek said she has not seen the purchase order but it looks like the hardware, and the software came through on a different purchase order. Commissioner Brooks questioned whether the new equipment will come upgraded? Ms. Hicks said the new equipment will come with the current Windows 10 and software 2.7. Commissioner Van Beek had questions regarding the unique identifier. Ms. Hicks said they are researching every aspect of the unique identifiers because they want to make sure they are not compromising the constitutional right to a secret ballot. She met with a representative from Hart who said all of the machines, even those on 2.3, can implement the unique identifier in two ways. The unique identifier would be within the QR code on the duo ballots and the barcode that's on the absentee ballots. Ms. Hicks spoke of how it changes their process and said if they implement unique identifiers she would ask to purchase at least two printers from Hart that can handle the capacity and have the speed necessary to be successful in doing their own absentees when they are not meeting the threshold of K&H. It will allow them to connect directly to the Verity count machine and would directly print from that and it would help her feel secure that they would not have any ballots that couldn't be read because of transferring a PDF to a different printer and possibly losing margins or something to that extent. A potential liability would be when they are filling absentees. They will pull the data from the computer and place the ballot into the envelope for each voter and they would be aware of the unique identifier when putting it into that envelope and that's why the best solution would be to have the unique identifiers within the barcode so no one is aware of what that unique identifier would be on that ballot. She said citizens may be concerned when they see staff connecting the unique identifier ballot to the envelope. If it's within the barcode and QR code then it's not human readable right there when staff is putting it together; there is no way to make that connection and violate the constitutional right. Commissioner Van Beek said when the L&A test was performed she assumed her constitutional rights would be protected and her voting was exposed. There is vulnerability, nothing is failproof. She asked if there is any capacity to convert the current system with Ada County's system? Ms. Hicks said there is, and the difference is Canyon County has the ballot marking devices and they went that route because of how many improperly marked ballots they would get back at the end of the night to do resolution. They met with Ada County prior to purchasing the Hart system with the duo marking devices and what Ada County found is that because of improperly marking the ballots it kicks it out and they have to spoil the ballot, print and issue a new ballot and ask the voter to fill it out correctly. They found a backlog on their precinct scanners and that's why Canyon County went with the duo ballot marking device. Further

discussion ensued. In November they had 124 different ballot styles and there were several that were unique. Commissioner Holton said Canyon County has 22 more political subdivisions than Ada County has and we have perhaps the most complicated election in the state of Idaho just because of the numbers and the possibilities. Commissioner Brooks asked if there is room to store the new equipment, if the Board purchases it? Ms. Hicks said space will be tight but they have a plan in place to store the equipment until they have a new building. Commissioner Van Beek asked if they are using HAVA funds to purchase the software upgrade. Ms. Hicks said they are purchasing the equipment and the HAVA funds will be reimbursed toward the equipment. Commissioner Van Beek asked if the software purchase qualifies for HAVA funds? Ms. Hicks said it was included in the plan for the upgrade and purchase of equipment to better serve the voters and assist with wait times. Controller Wagoner said the County budgeted \$300,000 of County resources for this investment, and the \$71,000 in HAVA funding would be on top of that and we would end up being \$7,000 short. If approved, at some point during the fiscal year we will need to open and adjust the budget for the receipt of the unscheduled federal monies. At the moment there is only \$300,000 of spending authority for the upgrade and the equipment. It was presented to the state as a package deal for the upgrade and equipment and the state approved the \$71,000 of HAVA monies. Commissioner Van Beek said she is in favor of the software upgrade, but will have to ponder the equipment purchase. Ms. Hicks said the quote they received for the new equipment was done earlier last year, and they have increased their prices but they are willing to honor the prices and not increase the price on each machine. They also gave an additional \$20,000 discount to be as close to our budget as possible and they were hoping to have an answer by mid-December, but she doesn't know how much longer they can hold the old pricing or offer the discount. Commissioner Van Beek had questions regarding the life cycle of the equipment, and Ms. Hicks said she will speak with Hart and get back to the Board. Controller Wagoner said the equipment is an investment to improve the voter experience which is why they are requesting the purchase. COO Rast said he doesn't want to be in a situation where the industry is for Windows 11 and we have Windows 10 with no support or updates. Ms. Hicks said they have indicated they prefer to stay one Windows version behind and so it doesn't sound like Windows 11 is on their agenda for the near future. Today, the Board signed a purchase order for Hart Intercivic in the amount of \$3,595 for the purchase of power cords, power supply devices, and printer toner cartridges (PO #5942). The meeting concluded at 11:19 a.m. An audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 11:27 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Parks Director Nicki Schwend, Director of Constituent Services Rick Hogaboam, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Schwend explained that these organizations applied for and were approved funding last year. These are standard agreements that outline budgets, completion timeframe, and liability. Ms. Schwend provided a brief review of each of the projects and the grant amounts.

Consider Historic Preservation Support Award agreement with Melba Valley Historical Society; and Consider Historic Preservation Support Award agreement with Historical Society of Middleton; and Consider Historic Preservation Support Award agreement with Notus Historical Society and Museum:

Commissioner Brooks made a motion to approve the agreement with Melba Valley Historical Society for \$7960 (agreement no. 24-005), Historical Society of Middleton for \$5000 (agreement no. 24-006) and Notus Historical Society and Museum for \$6000 (agreement no.24-007). The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider resolution reappointing Dr. Justin Vance and Bruce Poe to the Historic Preservation Commission: Director Schwend explained both these gentleman have been serving for several years and would like to continue serving. She recommends both of these reappointments. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution reappointing Dr. Justin Vance and Bruce Poe to the Historic Preservation Commission (resolution no. 24-009).

Further discussion ensued regarding department personnel matters.

The meeting concluded at 11:35 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER CASUALTY LOSS APPLICATION FOR DEREK AND JOANN FONG

The Board met today at 2:05 p.m. to consider a casualty loss application for Derek and Joann Fong. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy Treasurer Jennifer Watters, Deputy Treasurer Tonya May, and Deputy Clerk Monica Reeves. The Board reviewed the application. The home was 80% destroyed on August 11, 2023 due to fire so they are asking for casualty loss on the percentage of 60.82% which amounted to \$182,700. The breakdown of cancellation of taxes due to hardship for individual taxing districts is \$1,256.25. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the casualty loss application for the Fongs, PIN 37576121 0. The amount of cancellation is \$1,256.25. The meeting concluded at 2:07 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 12, 2024

There were no meetings scheduled today.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Kirk Auto Co., in the amount of \$191,600.00 for the Fleet Department (PO #5948)
- Canyon County Sheriff's Office in the amount of \$18,000.00 (PO # 5885)

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- High Focus, LLC, in the amount of \$25,000 for the Emergency Management Office (PO #5886)

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, Commissioner Zach Brooks (arrived at 9:35 a.m.), Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel (left at 9:44 a.m.), Chief Deputy Sheriff Doug Hart (left at 10:01 a.m.), EOM Christine Wendelsdorf (left at 9:38 a.m.), Sr. Administrative Specialist Amanda Hedrick (left at 9:38 a.m.), Facilities Director Rick Britton, Coroner Jennifer Crawford (left at 9:46 a.m.), Director of Constituent Services Rick Hogaboam, COO Greg Rast, Larry Olmstead and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Donation of CCSO Equipment to Idaho Probation and Parole: Resolution no. 24-010.

Consider a Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Donation of CCSO Equipment to State of Idaho Security Team: Resolution no. 24-011.

Consider a Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Destruction of CCSO Equipment (XTS 1500 Radios): Resolution no. 24-013.

Consider a Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Destruction of CCSO Equipment (XTL 2500 Radios): Resolution no. 24-014.

Consider a Resolution Designating Surplus Personal Property with Nominal Value and Authorizing the Destruction of CCSO Equipment (XTS 2500 Radios): resolution no. 24-012.

Ms. Wendelsdorf explained that the equipment set for destruction are no longer supported technology and unusable. Idaho Probation and Parole will be receiving 5 portable radios as they work county agencies serving warrants and other assisting in other incidents. They are having some challenges communicating with officers while in the field so Ms. Wendelsdorf would like to do this as a temporary measure until their radios are able to be programed properly. 30 radios will be donated to the State of Idaho Capital Security Team, since they don't utilize the same type of encryption these radios are something they'll be able to use into the future even with the changing technology. Commissioner Van Beek made a motion to designate surplus personal property with

nominal value and authorizing the donation to Idaho Probation and Parole, the second donation authorizing 30 radios to the State of Idaho with the included serial numbers, and the destruction of property with serial numbers as presented by the Emergency Operations Manager. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider Memorandum of Agreement with Idaho State Police for Forensic Services for Suspected Overdoses: Coroner Crawford explained that ISP has received a grant for a pilot program for toxicology. Currently their testing only provides a positive or negative result for a type of drug then it takes another 3 weeks to determine the amount of a drug in a persons' system. ISP has asked for assistance from Canyon County in providing samples to test. The county will continue using the private lab for testing, then share results with ISP to confirm effectiveness and efficiency. Eventually when ISP is more familiar with their program Coroner Crawford would like to completely switch over for toxicology testing and pay less than currently being paid to the private lab. Agreement no. 24-009.

Consider Memorandum of Agreement with Idaho State Police for Forensic Services for Mass Disaster Victim Identification: DNA/forensic services in case of a mass disaster in an effort to identify unknown persons. An unofficial agreement has been in place for many years, this MOA simply memorializes the cooperate effort. Agreement no. 24-010.

Commissioner Van Beek made a motion to sign the memorandum of understanding ISP 24-084 and ISP 24-085 regarding DNA analysis and the toxicology grant between Canyon County and the State of Idaho, amended to Idaho State Police. The motion and the amendment were seconded by Commissioner Brooks and carried unanimously.

Consider a Resolution Classifying Records of the Canyon County Prosecuting Attorney's Office and Authorizing the Destruction of Certain Criminal Case Files/Records; and Consider a Resolution Classifying Records of the Canyon County Prosecuting Attorney's Office and Authorizing the Destruction of Certain Juvenile Case Files/Records: This is for paper record destruction; digital files will still be maintained. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve resolutions for destruction for certain criminal case files/records (resolution no. 24-016) and certain juvenile casefiles/records (see resolution no. 24-015).

Consider Signing Construction Manager/General Contractor Agreement with Okland Construction for the Canyon County Sheriff's Office Building Project: Director Britton said this has been a collaborative effort between Facilities, CCSO and legal with Okland Construction. Construction manager rates came in well at 3.75 which Director Britton is very happy about although he said the GMP (guaranteed maximum price) will come in once the design is complete and it goes out for bid. Legal has reviewed the agreement and are satisfied with the contract. Director Britton and Mr. Klaas addressed several questions posed by Commissioner Van Beek regarding the owners' designated rep, clauses in the contract and liquidated damages. Commissioner Van Beek made a motion to sign the construction manager/general contractor agreement with Okland Construction

for the Canyon County Sheriff's Office Building project and to sign the general conditions of the contract for construction, AIA document A133-2019 and AIA document A202-2017 as presented. The motion was seconded by Commissioner Brooks and carried unanimously (see agreement no. 24-008).

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

PUBLIC HEARING: REQUEST BY TODD LAKEY FOR A ZONING ORDINANCE TEXT AMENDMENT TO ADD A DEFINITION FOR "MACHINE SHOP" AND TO ADD "MACHINE SHOP" TO ZONING USE REGULATIONS, CASE NO. OR2022-0003

The Board met today at 1:30 p.m. for a scheduled hearing in the matter of a request by Todd Lakey for a zoning ordinance text amendment to add a definition for "Machine Shop" and to add "Machine Shop" to zoning use regulations, Case No. OR2022-0003. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, Principal Planner Debbie Root, Engineering Supervisor Dalia Alnajjar, DSD Assistant Director Jay Gibbons, Deputy PA Zach Wesley, Todd Lakey, Donna Sullivan, Joseph Sullivan, Tim O'Donnell, Truda Moles, David Whitehead, Randy Rieken, Claudia Haynes, Connie Aebischer, Sherry Jetton, Kim Yanecko, Josh Setton, George Crookham, Keri Smith, and other interested citizens, as well as Deputy Clerk Monica Reeves. Prior to the start of the hearing, Commissioner Holton had a conversation with Todd Lakey and said the Board looked at how the application went through the P&Z Commission and the additional information that has been added since that hearing and he wants the case to go back to the P&Z Commission so it can be vetted more thoroughly. Todd Lakey said he visited with his client and they recognize this is a legislative process and that it can sometimes take some working back and forth. He believes the P&Z Commission was desirous to work on it to a large degree, but they wanted some direction from the Board. Mr. Lakey said he is happy to have it vetted by P&Z Commission and see what comes back. Commissioner Van Beek said she has a lot of questions and wants to keep it broad. Commissioner Brooks said page 161 of the staff report contains a paragraph from Todd Lakey that says the previous proposal was simply to allow the use by a conditional use permit. This needs to be small and confined, not broad as the initial language was. This is an important topic that needs vetted and he believes it should be sent back to the P&Z Commission with the direction that we keep it well defined so it cannot grow outside of the scope for the County that we would prefer it not to grow. Commissioner Holton said a machine shop has many connotations and we need to narrow that down especially if we are considering a full legislative consideration of what this might mean for the County. He looks forward to the work planning and zoning could do and vet that publicly and then bring it back to the Board. Commissioner Van Beek had follow-up comments regarding the information the P&Z Commission did not see. Mr. Lakey said they will try to keep this at the appropriate zoning text level and not look at a site-specific issue, but apply the experience and knowledge that they have. He also said he is always very careful to keep Senator Lakey and Attorney Lake separate. He is just here today as an attorney. The Board did not open the public hearing. The meeting concluded at 1:40 p.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY JEFF VANWINKLE FOR APPROVAL OF A SHORT PLAT FOR VANWINKLE SUBDIVISION, CASE NO. SD2022-0046

The Board met today at 10:00 a.m. to consider a request by Jeff VanWinkle for approval of a short plat for VanWinkle Subdivision, Case No. SD2022-0046. Present were: Commissioners Brad Holton and Leslie Van Beek, Jeff VanWinkle, Principal Planner Dan Lister, DSD Director Sabrina Minshall, Planning Supervisor Carl Anderson, Principal Planner Hether Hill, and Deputy Clerk Monica Reeves. Today's hearing was continued from January 9, 2024 where the Board requested information on the cost and availability of engineering firms to complete a road certification.

Principal Planner Lister said staff reached out to two consulting engineers to inquire about a cost and time estimate and they received estimates, the best one was from Keller for a cost of \$400 to be completed within the same week, but Mr. VanWinkle advised that his engineer would perform the work. A letter from the Star Fire District was submitted regarding the final plat review, and in looking at their letter of July 12, 2023 it says it can be served but when it comes to access it says it has to be maintained per the IFC code and it goes into their review with conditions and talks about how 760 feet of the road needs to be approved; fire apparatus access road shall have an unobstructed width of no less than 20 feet with an unobstructed vertical clearance of not less than 13 feet, 6 inches; and it talks about drivable surface and the private road sign. Planner Lister said it does not sound like an approval but rather some conditions they want the applicant to deal with. He has not received certification for the road and so it looks like Condition No. 1a of the FCO's regarding the private road needing fire district approval and certification is still pending.

Jeff VanWinkle said he has the engineering report which was emailed to Planner Lister this morning. He chose not to utilize the County's engineer because he was financially obligated to use his own engineer who said the report would be completed by the morning of January 17. He said the road meets the criteria in the fire district's letter and it complies with the County's criteria as well.

It is the Board's preference to continue the hearing to allow time for staff to review the report received this morning. Upon the motion of Commissioner Van Beek and the second by Holton, the Board voted unanimously to continue Case No. SD2022-0046 for the short plat for VanWinkle Subdivision to January 25, 2024 at 4:00 p.m. Mr. VanWinkle will check with Planner Lister the first of next week to discuss obtaining the County Treasurer's signature on the final plat. The hearing concluded at 10:11 a.m. An audio recording is on file in the Commissioners' Office.

CANYON COUNTY TRANSFER STATION PRESENTATION BY TIMBER CREEK RECYCLING AND PROPOSED FEE INCREASE RECOMMENDED BY THE SOLID WASTE ADVISORY COMMITTEE (SWAC)

The Board met today at 1:31 p.m. for a Canyon County transfer station presentation by Timber Creek Recycling and proposed fee increase recommended by the Solid Waste Advisory Committee (SWAC). Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Controller Zach Wagoner, Landfill Director David Loper, Landfill Administrative Supervisor Debbie Jenks, Mike Murgoitio and Caleb Lakey with Timber Creek Recycling, Director of Constituent Services Rick Hogaboam, COO Greg Rast, SWAC Board members Tom Points, Mark Christiansen, Hubert Osborne, Ashley Newbrey and other interested citizens and Deputy Clerk Jenen Ross. Mr. Lakey gave PowerPoint presentation which covered the following topics:

- Purpose: Seeking approval from the Board to a part of the Canyon County Waste System
- Background of the company
- Core Focus
 - Purpose/Cause/Passion
 - Mission statement
- Current products
 - Mulch
 - Animal feed
 - Compost
 - Cattle bedding
 - Recycled Asphalt (RAP)
 - Soil/gravel
- Equipment
- Custom services throughout the region
 - Trucking
 - Grinding
 - Crushing
 - Turning
 - Screening
 - Demolition
- Vicinity map
- Site map
- Transfer station layout
- Project status
 - Site is open and already receiving material
 - Aerate Static Pile (ASP) pads nearly complete and planned to be operational late January 2024
 - Transfer Station to be operational by late summer 2024
- Site Benefits
 - Centrally located in the county; property already acquired
 - Minimal impact to neighbors
 - Potential for a rail spur

- Recycling on site prior to landfilling
- Community benefits
 - private transfer stations
 - Typically assume more financial and operational risks, protecting community from unexpected liabilities
 - Can be more flexible with whom they partner, leading to more opportunity
 - Can be more motivated to maintain the competitive edge, leading to increased innovation
 - Can construct for less (est. \$3M construction cost) and can be open sooner (planned for late summer 2024)
 - Pay taxes
 - Private Transfer Stations companioned with Recycling Centers
 - Encourage sustainable practices by searching for best solutions to waste management
 - Extend the lifespan of public landfills
 - Are not hindered by geopolitical boundaries for all recyclable materials, potentially resulting in increased revenue to the county
 - Encourage economic development through reuse
 - Are designed to focus on cycle times and a high level of customer service
 - In the end, Timber Creek Recycling is brand driven!
- Example of Innovation
 - Timber Creek was the first to offer several new recycled products to Treasure Valley in last 7 years and more to come...
 - Concrete with rebar
 - Sheetrock
 - Biosolid compost
 - Commercial food waste
 - Packaged food waste
- Efficiency
- Recycling services to be offered
 - Currently approved: wood/tree/yard green waste, construction wood waste, residential food waste, commercial/industrial food waste, concrete (with and without rebar), asphalt, sheetrock and biosolids
 - To be offered w/transfer station: cardboard/white paper, metal/wire, plastics, glass, appliances, roofing shingles, packaged food waste, reuse items (ex: bikes)
- Acceptable food waste (packaged and raw)
 - Vegetables/fruit
 - Meat/cheese/dairy
 - Compostable utensils/plates/cups
- Acceptable household hazardous waste

- Non-alkaline batteries, fluorescent bulbs, CFL bulbs, gasoline, oil, varnish, electronics, TVs, monitors, vehicle batteries, herbicides, pesticides, paint
- Prohibited waste
 - Radioactive items, explosives, ammunition, biomedical waste loose sharps, prescription medications
 - Timber Creek would work with the county/cities to facilitate special collection events
- Planned rate structure
 - Commercial
 - Wholesale
 - Retail
- Retail rate ranges

Following the presentation, Mr. Points offered his comments on behalf of the SWAC and based on a similar presentation they were recently given. Discussion ensued regarding pricing based on volume, concrete recycling, biosolid waste handling, rail shipping, first right of refusal if Timber Creek were ever to sell, geopolitical boundaries and where the revenue comes from, control of outside MSW ending up in the Canyon County landfill and tire disposal.

Director Loper believes that the intent of the SWAC was for the BOCC to receive today's presentation and to move forward with the private transfer station concept. He also spoke about the benefits he feels this concept will bring to the community.

Timber Creek will provide a sample contract for legal review within the next 2-3 weeks and Mr. Ericson noted that there could be another 2-3 weeks of negotiations following that. Once these steps are completed a meeting will be planned for Board review and consideration.

The Board went off the record from 2:39 p.m. to 2:48 p.m.

Following the break, the Board went back on the record to discuss the proposed fee increase recommended by the SWAC.

Director Loper reviewed the following:

- **October 1, 2024 Fee Schedule Increase and New Fee Justification**
 - General: MSW first rate increase in 25 years; approximately 25% increase in total revenue; decrease in reserve accounts on previous 2 financial statements; cost of operations; minimal increase to residential user.
- **Current fee schedule vs. FY25 draft proposed fee schedule**
 - 25% increase in total revenue equates to approximately \$1.7million in increased revenue for FY25.
 - Increases to tipping fees
 - Eliminate out-of-county fee structure

- Discussion regarding educating the public regarding out-of-county waste and the MOU with Owyhee County for acceptance of their waste.
- Increase to number of tires and gallons of paint and oil/gas that will be accepted per load
- Increase to hard to handle fees

Director Loper addressed Commissioner Van Beek's questions comparing the old fee schedule to revised language in the proposed fee schedule. He noted that the draft document is the working copy in which they've tried to move things around, break out some categories and clarify some areas. Commissioner Holton feels that the *Gate Late Fee* and the *Credit Card Convenience Fee* both need to be higher; he doesn't want to overcharge but also doesn't want to undercharge. The revised fee schedule has been presented to the SWAC and industry representatives and it was voted to move it forward to the Board. Mr. Points provided his comments and notes from the SWAC meeting where this was presented. The Board is supportive of these changes. A secondary meeting will be held with the Board to finalize changes, once all the final details are worked thru a notice will be published and a public hearing will be held with an intended effective date of October 1, 2024. A copy of all presentation materials is on file with this day's minutes.

The meeting concluded at 3:22 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER SIGNING EXPERT WITNESS RETENTION CONTRACT; AND EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B) AND (D)

The Board met today at 3:25 p.m. to consider signing an expert witness retention contract for services related to a homicide case. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Chief Public Defender Aaron Bazzoli, and Deputy Clerk Monica Reeves. Chief Public Defender Bazzoli said based upon the nature of the contract and the terms and the fact that it might cost more than \$5,000, he wants the Board's permission to sign the contract if necessary. If the case does not go to trial it's not anticipated to be in excess of \$5,000. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to have Aaron Bazzoli sign the contract and the Board acknowledges it is giving its approval and understands the financial implications. A request was made to go into Executive Session as follows:

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 3:28 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 Chief Public Defender Aaron Bazzoli. The Executive Session concluded at 3:42 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.

COO WORKSHOP WITH CONSTITUENT SERVICES – GENERAL DISCUSSION AND DIRECTION

The Board met today at 3:47 p.m. for a COO workshop with Constituent Services for general discussion and direction. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, Director of Constituent Services Rick Hogaboam, Communications Specialist Chad Thompson, and Deputy Clerk Monica Reeves. Commissioner Holton asked Director Hogaboam to speak with DSD Director Minshall about a recent letter from a citizen regarding an upcoming land use case and their request to have their letter read at the hearing. The case in question is not currently scheduled to be heard by the Board and so Commissioner Holton wants to develop a generic response to citizens when their communication is received, and also to discuss how we can make sure citizens know where and how to submit comments for public hearings.

Report by Constituent Services Department

Recap of 2023 social media and website report - Statistics and Overview

- Facebook stats
 - 1,806 new followers
 - 7,306 total followers
 - 365 posts
 - Audience consists of 71.1% women/28.9% men
- Nextdoor stats
- Will share posts on Instagram

Social Media Overview

- Objective and Strategy: The primary objective on Facebook and Nextdoor is to enhance Canyon County's visibility, engage our community, and drive traffic to our website.
 - The strategy involves a mix of content marketing, community engagement, and targeted messaging focused on keeping our audience educated, informed, and engaged with different departments and programs with the hope of building trust through transparency.

Content Calendar

Educate, Inform, and Engage

- Connect with our audience: Consider our mission and our community's interests when choosing which holidays and observances to highlight.
- Be creative: Don't just post generic messages and greetings. Use the posts as inspiration for creating engaging content, such as polls, trivia, contests, or behind-the-scenes glimpses into our organization.
- Focus on diversity and inclusion: Include content that represents different cultures and backgrounds.
- Plan ahead: Create a content calendar well in advance so we can have time to create high-quality content.
- Use relevant hashtags: Hashtags can help expand our reach and connect with like-minded people.
- Be consistent: Post regularly throughout the year to keep our audience engaged.

Website Report: Includes views, top pages, city, device, and browser

2C Communications

- There was discussion about the efforts to get more communication to the public.
- Goal: Establish a quarterly newsletter; potential to offer an email subscription
- Create infographics on how ARPA has been spent
- Budget book
- Information on capital projects
- Budget process
- Cookies with Commissioners open house
 - Meet monthly
 - Travel to different cities for evening meetings at libraries, other meeting halls
 - Commissioner Van Beek said the City of Nampa wants a partnership with Canyon County on how to expand the network to help each other. We should be ahead of the marketing on the Sheriff's administration building and include information on that, and also on the use of opioid settlement funds and ARPA funds. This will be discussed further at a later workshop.
- Yearlong process to recreating the website. The existing website platform will remain as-is with minor tweaks and changes

Report by Chief Operating Officer (COO)

- Installation of panic buttons
- Five-year property tax report is ready to go live
- Press release with the Treasurer and Assessor
- Working with PA's Office regarding custodian of legal records/public record requests.
 - Will probably be shifted to the Constituent Services Department.
- Engaged with Facilities regarding their on-call pay.

- HR will meet with BOCC and COO Rast will go through calculations on how that money comes to be with the understanding if approved it won't happen until October 1, FY2025. It will not happen this fiscal year.
- RFQ on auditing services is on hold for now.
- Performance reviews for Directors
 - COO Rast will present the Directors' goals to the Board and at the end of the year he will prepare a writeup for the Board's consideration on the goals.
- Upcoming budget process
 - Wants to start discussions in February.
 - Discussion on how to have public engagement and disseminating information for the public.

A copy of the report is on file with this day's minute entry. The meeting concluded at 4:48 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 18, 2024

APPROVED CLAIMS

- The Board has approved claims 602229 to 602268 in the amount of \$56,776.37
- The Board has approved claims 602269 to 602308 in the amount \$1,487,920.79

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

The Board met today at 9:34 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel (left at 9:36 a.m.), Director of indigent Services Yvonne Baker (left at 9:36 a.m.), Case Managers Kellie George and Jenn Odom (left at 9:36 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Signing Resolution Appointing Community Volunteer, Eva Gohr, to the Canyon County Board of Community Guardians: Director Baker said that Ms. Gohr is an existing Board member and this resolution is a reappointment. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution appointing community volunteer, Eva Gohr, to the Canyon County Board of Community Guardians (resolution no. 24-017).

A brief discussion was had regarding the custodian of record for PRRs – Mr. Rast and Mr. Hogaboam will work thru some of the details with legal to be brought before the Board at a later time.

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

CONSIDER FINAL PLAT FOR RHETT'S ACRES, SD2023-0018

The Board met today at 10:30 a.m. to consider the final plat for Rhett's Acres, case no. SD2023-0018. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Engineering Coordinator Stephanie Hailey, DSD Director Sabrina Minshall, TJ Wellard with Skinner Land Survey, COO Greg Rast, Director of Constituent Services Rick Hogaboam, Other DSD staff members and Deputy Clerk Jenen Ross.

Ms. Hailey gave the staff report stating that the development is zoned RR, rural residential, with an average residential lot size of 2.158 acres. There are 10 residential lots, one private road lot, surface irrigation, individual wells and septic. The preliminary plat was approved on August 23, 2023 and subject to 8 conditions of approval. County engineering has reviewed and approved the final plat and construction drawings, participated in a post construction site visit and compiled evidence for condition compliance. The county surveyor has reviewed and signed the final plat. The final plat is in compliance with CCZO 07-17-13. Staff is recommending that the Board of County Commissioners sign the final plat for Rhett's Acres. Commissioner Brooks made a motion to approve and allow the Chair to sign the final plat for Rhett's Acres, case no. SD2023-0018. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 10:32 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION TO ADOPT CHANGES TO THE JOB TITLE OF TWO POSITIONS AND THE JOB TITLE AND SALARY GRADE OF ONE POSITION IN IT

The Board met today at 10:48 a.m. to consider a resolution to adopt changes to the job title of two positions and the job title and salary grade of one position in IT. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, IT Director Steve Higgins, Assistant IT Director Eric Jensen, HR Director Kate Rice, HR Business Partner Jennifer Allen and Deputy Clerk Jenen Ross.

Ms. Allen and Mr. Rast noted for the record that there is no salary impact with this change, it is just title changes, no salary grade changes.

Director Higgins said that the development branch of the IT team maintains over 150 applications and the skill set required has changed. The Application Support Analyst position (which they are moving away from) is more of an administrative type function and the Programmer Analyst positions (which they are moving to) actually codes, builds and supports those applications. Director Higgins provided a brief overview of the job function of a Programmer Analyst position. This change will also more closely align with industry standards and streamlining of classifications. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted

unanimously to approve the changes to the job title of 3 positions in Information Technology from one Application Support Analyst to a Programmer Analyst, no salary impact; another Application Support Analyst II to a Programmer Analyst II, no salary impact; and an Application Support Analyst I to a Programmer Analyst I with no salary impact as presented. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-018).

The meeting concluded at 10:54 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING – REQUEST BY MARTIN MAESTREJUAN FOR A CONDITIONAL REZONE FROM AN “A” (AGRICULTURAL) ZONE TO A “CR-R” (CONDITIONAL REZONE - RURAL RESIDENTIAL) ZONE, AND A PRELIMINARY PLAT AND IRRIGATION PLAN FOR FLYING ARROW LANDING SUBDIVISION, CASE NO. CR2023-0006/SD2023-0009

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Martin Maestrejuan for a conditional rezone of approximately 27.17 acres from an “A” (Agricultural, 40-acre minimum lot size) zone to a “CR-R” (Conditional Rezone - Rural Residential) zone. The request includes a development agreement. The request also includes a preliminary plat and irrigation plan for Flying Arrow Landing Subdivision, consisting of 12 residential lots and 1 private road lot. The subject property is located at 18257 Batt Corner Rd, also referenced as Parcel R37244011. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Principal Planner Dan Lister, Planning Supervisor Carl Anderson, Martin Maestrejuan, Jake Telford, L. Kurt Smith, Todd Lakey, Sarah Maestrejuan, TJ Wellard, Becky Temple, Alan Mills, Matt Lauder, Robert Richner, Rowe Sanderson, Connie Aebischer, Gail Delihant, David Delihant, George Crookham, Paul Kloster, Keri Smith, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Van Beek said she was part of previous Board that looked at this case under a different comprehensive plan.

Principal Planner Dan Lister gave the oral staff report for Case No. CR2023-0006 and Case No. SD2023-0009 separately. Regarding the rezone, the parcel was created through a conditional use permit and was purchased by the applicant in 2014 and in 2016 a house was constructed. An application came before the Board in 2021 for a comprehensive plan amendment based on the 2020 comprehensive plan, a conditional rezone, and a plat request. The application was denied by the P&Z Commission and the Board of Commissioners. This is a brand-new application but for same type of development. The 2030 comprehensive plan shows the area as rural residential, and the designation provides for rural transition areas to create a boundary between agricultural and urban areas. The property is within the City of Homedale Impact Area although the City has no real designations for this location, they rely on the County's maps and decisions.

The area is predominately zoned agricultural with associated dwellings and accessory structures and uses, and a lot of large agricultural properties surround this property. The average lot size is 24.31 acres. Between 2013 and 2021 there have been seven rezones in this location, four of which were conditional rezones and included buffers and building envelopes. Within a one-mile radius

there are 7 platted subdivisions with a total of 48 lots; there is residential and commercial designations approximately 2,500 feet away from the subject property. The character changes south of Ustick Road where residential and commercial designations are supported closer to Highway 95. The surrounding properties in the area are prime farmland consisting of class 3 soils. The majority of the properties in the area appear to be agricultural in use. Future development will require individual wells and septic systems since there are no city services for sewer. The property is adjacent to Homedale's city well, but the City has said they do not want to use it for this type of development, they would rather have it for commercial industrial. They have waived the requirements for that use and other subdivision requirements other than sidewalks. The property has approx. 22 acres of water rights, and has frontage along Boehner Road and Batt Corner Road. A private road was approved. Golden Gate Highway District finds the development, as conditioned, will not adversely affect the traffic patterns at Batt Corner Road or Boehner Road. Any mitigation measures and conditions will be addressed at the time of platting. Wilder Fire District said their response time is 8-10 minutes and they will review the access at time of the plat. The potential impacts: This is designated as rural residential, a transition area between agricultural and the urban areas. We do not have a code for that type of rural residential transition so the code that's in place is the rural residential we've had for a long time that was originally slated for areas that are going to be residential so it doesn't include buffering and things of that manner which are talked about in our guidance of the comprehensive plan and the actions after to develop that code. We do not have enough there to identify what is a transition area and what kind of things we need to make it a transition area. The applicant proposed conditions and CC&R's they would apply to the division to try to maintain the agricultural character, and staff added a few more: no secondary dwellings that would reduce the amount of traffic that could be generated; a one-acre building envelope on each lot located toward the frontage of the property so the back can remain open to allow for a buffer all the way around except for one of the lots that is already built on, and to be able to be developed in a way to create a buffer and an area that's guaranteed to be used for some type of agricultural use. If approved, the applicant requests the building envelopes be 1 ½ acre, not 1 acre. Planner Lister reviewed the draft development agreement conditions. The P&Z Commission was concerned about CC&R's because a lot of them are not upheld and are sometimes removed, so some of the conditions that are to protect agriculture sometimes go away. If there are a number of those we can put into the development agreement they feel it could be locked in, but at the same time we have to talk about enforceability. Staff received a number of comments from the public, 5 letters in support and 7 letters in opposition. Following his report, Mr. Lister responded to questions from the Board. The previous application came in under the 2020 comprehensive plan where the property was located outside of the residential land use designation; it was in the ag designation so they had to do a comprehensive plan amendment, rezone, and platting. The new 2030 comprehensive plan came up with the transitional area which is called rural residential, and with that there is the definition allowing this transitional area for residential use between agriculture and urban to provide that buffer, and so that is the major change in our land use map is that new designation and the area shown for that designation which this lies within so it does not need a comp plan amendment. Planner Lister said staff did not receive any comments from Homedale and all the information staff received is the

water study the applicant did with the City and their conversations through their application where the City said they would rather provide the service to a higher use, like a commercial industrial use, and so if that is the case the City should update their area of city impact agreement and talk to DSD about aligning that, but until then they have no designation in that location and they rely on the County for those designations. CC&R's - goes against county policy due to enforcement issues. On November 2, 2023, the Planning and Zoning Commission recommended the Board of County Commissioners deny Case Nos. CR2023-0006 and SD2023-0009, and they signed Findings of Fact, Conclusions of law, and Orders (FCOs) on November 16, 2023. They found this to be premature; is too far away from Ustick Road where there is evidence of residential commercial growth; the area is still agricultural and the request is inconsistent with the surrounding area. Staff provided FCO's based on the recommendation of denial. Regarding the preliminary plat for Flying Arrowing Landing Subdivision: The development consists of 12 lots with 1 road lot. Lot 5 includes a 20-foot wide access easement for Parcels R37244 per an agreement between the developer and the neighbor. The size of the easement does not meet County requirements for residential ingress/egress so it will be an agricultural access only. The average lot size will be 2 acres, water by individual wells and septic systems. The City of Homedale defers to Canyon County. The property has water rights through Wilder Irrigation District, and the preliminary plat identifies the pressurized irrigation line that would service all lots. The plat shows a new pump station and irrigation piping for the adjacent neighbor. Storm drainage swales are located on Lots 4 & 12. Staff recommended a number of conditions, and the engineer found it to be consistent with the subdivision ordinance. The P&Z Commission found the conditional rezone to be inconsistent with our requirements and therefore recommended denial which automatically denies the plat. The Board had follow-up questions. Planner Lister informed the Board that he received an email from Gail Delihant this morning requesting additional time to testify as she is representing 39 property owners who signed the petition in opposition. The Board will decide on this request later in the hearing.

The following people testified in favor of the request:

Todd Lakey asked if the Board would allow the submission of late exhibits: a letter from DEQ regarding water sampling, and a map of the sampling sites; an updated letter from Wilder Fire Department; and information regarding the opposition pertaining to a map of location, addresses and acreage. Following comments from the Board and Mr. Lakey, the packet of information was allowed into the record and was identified as Exhibit #14.

Mr. Lakey believes the P&Z Commission took an overzealous perspective to denying this rural residential use request, and they ignored the comprehensive plan designation and the fact that the property is in the Homedale area of impact, and that this small project is consistent with the character of the area. Mr. Maestresjuan lives on the property and when he applied for a similar project a couple of years ago it included a comp plan amendment because it was not designated for residential use and was outside the impact area. The Board denied the request and when describing what the applicant could do to gain approval, they said to demonstrate how the application complies with the comprehensive plan; it clearly complies with the comprehensive plan now. The area of impact was expanded and the comprehensive plan designation was

changed so it complies. The project will consist of 12 lots, 2 acres in size with nice custom homes and there will be CC&Rs that will ensure quality and prohibit future splits. There will not be any significant impact, there is a strong stable aquifer, and traffic will be minimal. The character of the area has changed because of the designations and expansion of the area of impact and there are other existing similar lot sizes and subdivisions in the area. Contrary to some of the opposition's assertions, he did not say the City of Homedale supported the application, the City has no objection or concerns. Mr. Maestrejuan met with the City and had his engineer perform an update on the water modeling and noted there is a city well south of the property. The applicant has also conducted an NP study to demonstrate these lots will support individual well and septic. The City preferred to retain their well capacity for higher density residential and/or industrial/commercial when it gets there. It conforms with the comprehensive plan and map for the City of Homedale and Canyon County because they take the County's comprehensive plan and map and apply them in this area. There is existing R-R zoning to the south and conditional R-R zoning to the north. There are agricultural uses occurring in the area but it's also clear the area is transitioning to more rural residential-type use. Based on the change in the comprehensive plan this R-R zoning is more appropriate than requiring Mr. Maestrejuan to keep farming this 27-acre parcel with moderately suited sloped soils in an impact area that is designated for residential. The purpose of the area has been designated for residential growth, this is not about agricultural preservation in the future, it's in an impact area where growth is supposed to occur. Mr. Lakey said the opposition proposes that all growth needs to be on city services, that's code for essentially no rural residential growth and we know rural acreage lots do not pencil with all the city services, cities don't really want them, they don't fit in the area. It's appropriate to have acreage custom home subdivisions in the County and this is the area it's supposed to happen in. Under the comprehensive plan rural residential is supposed to be a transition to agriculture and that is clearly what this is and where this is. He referenced a letter of support from the DeRuyter Family who farms in the area. Following his testimony, Mr. Lakey responded to questions from the Board.

Jake Telford supports the request. He is a cow horse trainer who lives in the area and spoke about the demand for horse properties. The project offers a balance that's missing in the County and a 12-lot subdivision where people can raise a family, horses, and co-exist with the farming operations is something we need.

Alan Mills testified that out of 10 impact areas in Canyon County only 4 have the designation of R-R: Nampa, Parma, Notus, Wilder, Greenleaf and Melba have none as well as most of the rest of the County. We're at a point where we are either going to say everybody's going to live in the city or you will have a large farming operation, and there is no place for the hobby farmer. It's not balanced, but this project would balance that somewhat. He spoke of his personal experience with living on an acreage and the benefits hobby farmers bring by growing their own food and contributing to the economic business in Canyon County. There is high demand for this type of acreage and virtually no supply.

Kurt Smith, the project engineer, testified irrigation water rights are available and each lot will be served by a pressure irrigation pump station. The wells will be for household use only. There is a water quality issue in the area with arsenic and nitrates in the area water. He reviewed the letter

from DEQ on this topic. The standard of care is to inform well owners that there is arsenic and nitrates in the area and recommend they get tests once the wells have been drilled. Arsenic and nitrates are different than other contaminants, they become part of the water and as they travel through the aquifer the filtration that occurs doesn't filter them out. When individual wells test for high levels the owners can provide a water softener system or a reverse osmosis system which will significantly reduce concentrations in the drinking water. Mr. Smith reviewed the letter from the Wilder Rural Fire District which states the developer needs to follow the international fire code and the County codes for subdivision and road widths and appropriate turnarounds. The roads within the development need to be complete and approved prior to construction. The applicant's proposal meets fire code. In a previous letter the fire marshal had recommended secondary access but it was not required. The applicant is complying with the international fire code and County codes. The City of Homedale asked the applicant to include curb and gutter on the roads which the applicant has done and as a result the right-of-way can be narrowed. Following his testimony, Mr. Smith and staff responded to questions from the Board.

TJ Wellard gave testimony regarding traffic and building envelopes. This is a small project and it does not warrant a traffic study. The owner is asking for a 1.5 acre building envelope, rather than 1 acre, to allow for the setbacks that are already in place. This property is naturally separated from adjacent properties via the drain ditch to the south and the field to the west.

Robert Richner has lived at Batt Corner Road for several years and he testified about the need for a project of this type.

Rowe Sanderson testified there is a huge demand for rural acreage lots of this size.

Martin Maestrejuan testified that he lives on the subject property and his application was denied in 2022 and he is here again based on the new comprehensive plan and he has met the recommendations on what he could do to gain approval. We do not have a code definition for transitional but we do have a definition for rural residential. The project is compatible with the area and it is possible to coexist with farming operations. He received a letter of support from the DeRuyter Family, a larger farming operation in the area. He testified about the subdivisions and home sites in the area and said it is not his obligation to provide the state of Idaho farm land. This is a better opportunity for people to enjoy rural lots. The easement agreement on Lot #5 is a 20-foot easement agreement with his neighbor to the west, and he will put in a new pump station for the neighbor so he can continue farming. He wants to be a good neighbor and continue living on the property. He paid the City of Homedale's engineer to do the well engineer study based on public safety and said if there was a way to connect to city water and have it work for everybody he would do it. City water is 1,600 feet away from his property. A water study was done and it said the subdivision would handle water pressures if there was a fire and the City of Homedale waived that requirement because they would rather save water pressures for future growth within the city limits. He plans to put custom homes on the property. Following his testimony, Mr. Maestrejuan responded to questions from the Board.

The following people testified in opposition to the request:

Connie Aebischer testified she used to work as a planner for DSD 10 years ago and she is shocked by the growth in the area. The comprehensive plan is not saying this area is designated as R-R right now, it's saying in the future we see it being rural residential. She reviewed the drone footage noting it's all agriculture and the Board should go with what the P&Z Commission recommended because it's not yet time for this type of development. The FCO's discuss a crossing agreement as if it's been done, but the letter from Boise Project states it must be made and there isn't anything that says you need to comply with this so it needs to say you need to comply and make a crossing agreement. Commissioner Holton said Ms. Aebischer asserted that rural residential is a "not yet" and he asked her to direct him within the comprehensive plan where the delineation of "not yet" is. If it is a criterion, he would like to know what the guidance of "not yet" is. Ms. Aebischer said the comprehensive plan says in the future we see this area will be zoned rural residential, but at the moment it is still zoned as agriculture and so to do anything other than that we have to go through a process and at this point it's agriculture with large farms, it's not smaller lots.

Gail Delihant works for Western Growers Association which is an agricultural association and they have members in Idaho, California, Arizona, Colorado and New Mexico who grow fresh produce, and she is here today to offer testimony as a citizen who lives in Wilder. She requested a few more minutes for testimony since she has two proxies from people who could not attend the hearing, and she represents 39 people in the neighborhood who are opposed to the rezone. The Board allowed Ms. Delihant to have six minutes to provide testimony. When her well was drilled two years ago there were not any nitrates in the water and very minimal arsenic. Recently her well was tested and they are over the MCL for arsenic, and the MCL for nitrates is almost at 10. She has researched the hydrology and geology of the groundwater in the area and she agrees with the engineer that there is a lot of arsenic in the area and it is naturally occurring. As you pump more groundwater you will stir up the aquifer. 12 more wells will stir up the ground even more which is why she suggests new developments need to connect to city services. A continual drawdown without a lot of groundwater recharge will cause problems. She is not against development, but she does oppose this development in the middle of active farming operations. She is aware of lawsuits filed against the Board over a feedlot in Wilder, and she supports agriculture and she does not want to see it go away. Canyon County and this area of Idaho is the #1 seed producing area in the west and we have to have seeds to grow food. Seed production is going to China and she doesn't want those seeds coming back from China to grow here. Septic systems leach nitrates and bacteria and the sandy soil does not filter it out. People do not realize they need to test their water or have water filtration systems installed. She asked the Board to deny the project until we see more of these rural developments start from Highway 95 and going north. It is irresponsible to have septic systems and wells plunked in everywhere. There are very strict EPA standards for farming with pesticides applications, and there are dust and smells associated with farming and farmers get sued when they don't comply.

Dave Delihant testified that the previous P&Z Commission and the current P&Z Commission, even after the revised 2030 comprehensive plan, and a previous Board denied this project and that should speak volumes for whether it's time for this project. The Homedale schools are impacted significantly so if we are trying to get more residences that is not a good option. The applicant's

representative stated that the City of Homedale supports the request, however, there is nothing in writing that they do support it. We have an affordability crisis, not a housing shortage. In Canyon County there are 665 active listings today ranging from \$215,000 to \$2.8 million, a significant number of those are rural properties. The average days on market are 93 and climbing with 624 pending sales, so the market is pretty balanced right now. 28% of the households in Idaho do not own a home. He is opposed to irresponsible growth and although the revised plan may indicate the applicant can put something on the property, does that mean it's time for it. There are people considering if this request is approved they will ask for approvals on their properties as well. The project will bring traffic issues, congestion and more interference with agriculture. He said the process is not working and the voice of the people is being squelched.

Paul Kloster testified about his concerns with water supply and water quality and contaminants in the area.

Rebuttal testimony was offered by Todd Lakey. This is about balance and saying everything has to be urban and on city services is not balanced. You designate areas of impact, and land uses for rural residential to promote that balance to allow this type of rural residential development in appropriate locations and the County has decided this is an appropriate location and it's in an area of impact where it's supposed to occur. This land has been determined to be appropriate for rural residential zoning. We are not talking about an area that should be maintained long-term in agriculture. We are not talking about a piece of property that is taking seed out of production, we are in an area that's planned for growth and the County strives for a land use balance. The focus of this most recent impact area is to allow that balance to happen and then you can preserve the more viable prime farm ground in the County. The opposition has an extreme view and they talk about everything needing to be on city services, but it's hypocritical for someone to say I have my acreage and I can live with the issues in the area, but nobody else can live in that area and handle those same issues. Mr. Lakey said the nitrates are not an issue; the applicants have done the scientific analysis and the nutrient pathogen study and it supports the use of individual well and septic. Arsenic really isn't an issue as was noted in the letter from DEQ, it's geologically and naturally occurring and people have been living with it for a long time. DEQ is asking for voluntary samples, but they are not shutting anything down or taking steps to control that. The City of Homedale's comprehensive plan supports the application, and they prefer to preserve their well for commercial and industrial use. 11 lots will not bring significant impacts to traffic, and the highway district was clear about that. He spoke of other rural residential zoning in the area. This is appropriate for transition and it is appropriate for development now. The area has a strong aquifer and residential use typically uses less water than agriculture. Following his rebuttal testimony, Mr. Lakey responded to questions from the Board.

Commissioner Holton asked staff for their interpretation of "not yet". Planner Lister said the comprehensive plan is a 10-year land use plan and was supposed to be used as a tool to guide growth into these locations subject to meeting goals and policies for that growth. There are times where this abuts the edge of that designation where it does touch agriculture and there are concerns about what that transition would look like as it abuts that and we go back to the guidance that says here are the provisions we should think about and actions we need to take. We are

guided by the current County code for rural residential. There are industrial uses that were denied off of Lower Pleasant Ridge Road (by Simplot), where this is on the cusp of industrial and agricultural where there wasn't enough there to enforce some type of transition to where it was not time yet. This is on the tiptop of the designation, there is nothing below it really pushing it to this location. Do we have enough conditions to demonstrate there is enough buffer? Staff went to an approval recommendation because we are bound by the Canyon County Code and all we have right now is the rural residential designation and what is required for that. We do have guidance and that's why we have a finding asking if it's in general conformance with that. The rest goes back to the code and what we are required to look at and staff at the time looked at the conditions being requested plus the code we have in place now, and were able to make findings to recommend approval. The P&Z Commission went with the understanding of *future*, being it's not time yet. They found it's still agriculture, let it grow naturally from the south to the north. There was follow-up discussion regarding the relevance of exhibits for conditional rezone cases that demonstrated buffering and building envelopes, and preservation of ag. ground.

The Board accepted Exhibit #14 into the record. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony.

Commissioner Brooks said he supports the FCO's that were recommended to the P&Z Commission, and he thinks the P&Z Commission got it wrong. He cannot make a finding on "not yet". The prior 2020 comprehensive plan was so bad that a 2030 plan was jammed down the County's throat. The 2020 comp plan does not allow for this, but the 2030 plan does. The subsequent actions that should follow the acceptance of the 2030 comp plan that have not been taken has left the Board in the precarious position of just looking at the transition area and nothing else to go with it. He believes the application meets all 8 criteria. He agrees to the 1.5-acre building envelope and he would even agree to getting rid of it because the homeowner should be able to put their house where they want. If this was a much larger lot perhaps we could look at the envelope. Regarding timing, he has watched what the cities of Nampa, Meridian, Star and Middleton have done to some of the best prime agricultural ground around Hwy 20-26 by putting houses 1 per ¼ acre. If we don't want high density this is the kind of development we should be arguing for. He is in favor of the no secondary dwelling as it would satisfy the concerns about having a building envelope.

Commissioner Van Beek reviewed the criteria. No. 1 with the ag grounds heavily involved in identifying areas of transition, agricultural, rural residential, so this is a positive finding and it meets the criteria. If you have an agricultural use she would rather see this than industrial or high-density residential. The commitment from the applicant that it would be custom homes is better than tract homes that do not offer a lot of variety. It is compatible if you want to encourage hobby farms. The DeRuyters are big agriculturists and they submitted a letter stating the project would not adversely affect their operation. There is a proposal to provide pressurized irrigation, and legal access exists. She understands the arguments on both sides but in the absence of saying it's not time, there is an argument for the timing of it. She does not need a building envelope on a 2-acre parcel particularly if you have to plan for septic issues on a sloped area. It is not feasible to put a rural subdivision on city services, and industrial and commercial belongs on Highway 95 and the

reason that area is problematic is because there were no conditions put on some of those manufacturing facilities. In the absence of a more developed comprehensive plan with overlays that talks about that this Board is left with some quandary and so applying what we know to be a transition area in agriculture - this appears to fit.

Commissioner Holton said he is greatly frustrated because the 2030 comprehensive plan has felt like a club coming into the County and now when you have a transition area that they intentionally chose not to put around quite a few communities incorporated cities in the County, now we have an application that fits right into that. To the south is a continuation of small lots that have already been divided off and they go right up to this property line so he doesn't know what we're waiting for. He's frustrated that the 2023 comp plan is being used as a club in other areas of the County because of the "not yet", or because of going into areas that are claimed to be ag. that he finds very interesting. He heard in public testimony and it's supported in the maps in the record that there have been small land divisions right up to this property point. He has a bit of an issue is putting 11 more wells on property that's 2,600 feet away from a municipal well. If there is not enough water in the area that a municipal well does not want to connect to a development, then do we have enough water? That bothers him because he is not aware of many municipalities that would turn down that kind of request.

Planner Lister answered questions regarding whether the City of Homedale has capacity. He said the City was not interested in the developer connecting to it, they would rather use it for a higher density use such as a commercial industrial use. He does not know if there was a proposal to connect and the applicant said no they didn't want to connect, but it sounds like based on the applicant's letter of intent the City found it to be okay as-is and didn't have any additional comments. The applicant did not receive any concerns or opposition from the City of Homedale.

There was discussion regarding a community well versus individual wells. Commissioner Holton said for health and safety reasons he favors one penetration into the earth's crust to 11 penetrations due to the risks of cross contamination. We are in a rural residential transition area and that is part of the game to play where you might have the ability to grab a water utility from a municipality because it is the transition area. It frustrates him that the City of Homedale did not comment, but in this specific area he is not concerned specifically about the volume available in the aquifer in this area. He is not aware of any well issues in this area. Commissioner Van Beek said this is very different than an area identified with known issues such as in south Nampa. Commissioner Brooks does not want to force the applicant to connect to a water system that the City did not offer or request that they connect to. Commissioner Holton said if it all goes south in a future year he wanted this on the record, so when the City of Homedale complains about wells penetrated within a half mile of their well casing the record will show the Board considered this and the City chose not to participate. Commissioner Van Beek said the evidence in the record shows that Homedale chose not to provide comments. Commissioner Brooks is fine with the FCO's staff presented to the P&Z Commission, with the exception of the building envelope. Planner Lister said since this is a change from the P&Z Commission's recommendation of denial, it will require another public hearing to consider the approval and the new conditions. Commissioner Van Beek made a motion to approve Case No. CR2023-0006 and SD2023-0009 based on the

findings of fact and conclusions of law provided in Exhibit 8 by staff with the conditions of approval and eliminating item 2b in the conditions of approval. Commissioner Brooks asked staff for the difference between Exhibit 8 and Exhibit 12. Planner Lister said the draft that was provided to the Board is a denial and so those FCO's, including conditions, are what was denied by the P&Z Commission. The motion was seconded by Commissioner Brooks. Commissioner Van Beek asked about including language for custom homes, but Commissioner Holton was not in favor that. There was discussion between the Board and Planner Lister about whether to keep Condition No. 2d regarding upholding the CC&Rs that were presented by the applicant. Staff will review which conditions are enforceable. The motion carried unanimously. Upon the motion of Commissioner Van Beek and the seconded by Commissioner Brooks the Board voted unanimously to approve the FCO's for Exhibit 9 on the preliminary plat for Case No. SD2023-0009. The motion carried unanimously. Staff will bring back the revised FCOs and conditions. A second hearing is required. The hearing concluded at 4:17 p.m. An audio recording is on file in the Commissioners' Office.

SPECIAL MEETING: DISCUSS EARLY ELECTION VOTING LOCATION, O'CONNOR FIELD HOUSE

The Board met today at 4:34 p.m. for a special meeting to discuss early election voting location, O'Connor Field House. Present were: Commissioners Leslie Van Beek and Zach Brooks, Controller Zach Wagoner, Elections Operations Supervisor Brandi Long, Elections Specialist Robin Sneegas, Director of Constituent Services Rick Hogaboam, COO Greg Rast and Deputy Clerk Jenen Ross.

Ms. Long spoke about how 2024 will be a big election year with the Presidential election in November and the May primary which are both anticipated to have large turnouts. The Elections office has been looking for quite some time for early voting locations and a spreadsheet was provided of locations that have been contacted and notes associated (a copy of this document is on file with this day's minutes). The Nampa Cultural Center has been secured for May, August and November early voting but Elections staff are looking for a location in the Caldwell area to serve the more western portion of the county. At this point The O'Connor Field House is the best option but the rental fee would be approximately \$14,000; it has only been used once before, in 2020, and at that time due to the pandemic they were not allowed to charge a rental fee.

Discussion ensued regarding use of The Center. It was previously understood by the Elections office that this was not an option due to loss of revenue. Mr. Rast has contacted Director Sinner and will have some additional information tomorrow but this may still be a location option. Additionally, Election staff will be meeting with the Elk's Lodge Caldwell tomorrow and are hopeful this will be a suitable location.

The O'Connor Field House needs an answer by tomorrow or they will move forward in renting the facility to other organizations on their waitlist.

Commissioners Van Beek and Brooks would like to continue this meeting to tomorrow in order to get answers regarding use of The Center and the Elk's Lodge Caldwell and to allow Commissioner Holton to weigh-in. Commissioner Van Beek made a motion to continue this meeting to tomorrow,

January 19th at 2:00 p.m. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 5:02 p.m. and an audio recording is on file in the Commissioners' Office.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 19, 2024

APPROVED CLAIMS

- The Board has approved claims 602031 to 602042 in the amount of \$26,860.00
- The Board has approved claims 602043 to 602067 in the amount \$115,132.16
- The Board has approved claims 602309 to 602348 in the amount of \$503,406.33
- The Board has approved claims 602349 to 602386 in the amount of \$12,379.75

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Hayli Marcilliat, Housekeeper
- Fallon Smith, Clerk I
- Bryce Moore, Sergeant
- Chad Bingham, Sergeant
- Julio Ortega, Computer Network Tech
- Christopher Wilcox, Limited License Intern

DISCUSS EARLY ELECTION VOTING LOCATION, O'CONNOR FIELD HOUSE

The Board met today at 2:13 p.m. to discuss early election voting location, O'Connor Field House. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Controller Zach Wagoner, Elections Operations Supervisor Brandi Long, Elections Office Manager Haley Hicks, COO Greg Rast, Director of Constituent Services Rick Hogaboam and Deputy Clerk Jenen Ross.

Ms. Long spoke about the meeting with the Elk's Lodge this afternoon. She said they are willing to offer the facility for two full weeks in both May and November for early voting. The building is ADA compliant, the voting space is adequate in size and there is an abundance of parking available. The daily rate is \$350 for a total of \$5250. She also met with Director Sinner about possible use of The Center, she feels there are both pros and cons to using that building for early voting. Commissioner Brooks noted he is in favor of this but that he is waiting to hear back from Dr. Zogg regarding use of a large room in the SWDH building.

In response to a question from Commissioner Van Beek, Ms. Long spoke about how in the past there really have not been agreements in place with the polling locations, it's more of a letter just confirming the dates. The Board would like to see Elections work with legal to get a formal agreement in place. The Board is supportive of moving forward with the Elk's Lodge and Mr. Wagoner spoke about the funding stating that he is hopeful the \$5000 can be found as it's a good investment but Ms. Hicks is unsure if the expense for early voting locations was accounted for in the budget.

There was no action taken to consider rental payment to O'Connor Field House for Early Voting due to a change to the venue. Additionally, the Board has requested a letter of thanks be drafted for their signatures.

The meeting concluded at 2:22 p.m. and an audio recording is on file in the Commissioners' Office.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 22, 2024

EXECUTIVE SESSION – PURSUANT TO IDAHO CODE, SECTION 74-206(1) (D) AND (I) TO DISCUSS RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 1:02 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (i) to discuss records exempt from public disclosure, and to communicate with the County's risk manager regarding pending/imminently likely litigation. (Note - The motion referenced pending/imminently like litigation, however, 74-206(1)(i) refers to pending imminently likely *claims*.) 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, Chief Judicial Marshal Jim West, Deputy Judicial Marshal Paul Greenhill, Deputy Judicial Marshal Robert Villegas, Deputy Judicial Marshal Rich Lattin, Family Court Services Manager Chris Paulsen, TCA employees, HR Risk Manager Howard Slack, HR Director Kate Rice, and Director of Constituent Services Rick Hogaboam. The Executive Session concluded at 4:15 p.m. with no decision being called for in open session.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 23, 2024

APPROVED CLAIMS

- The Board has approved claims 602387 to 602415 in the amount of \$105,863.98
- The Board has approved claims 602068 to 602115 in the amount of \$354,831.08
- The Board has approved claims 602156 to 602183 in the amount of \$28,193.73
- The Board has approved claims 602184 to 602228 in the amount of \$18,595.66
- The Board has approved claims 602416 to 602418 in the amount of \$11,639.32
- The Board has approved claims 602419 to 602428 in the amount of \$22,709.30
- The Board has approved claims 602116 to 602155 in the amount of \$28,281.61

COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Matthew Espey.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Jared Joseph George, Deputy Sheriff
- Gena Lynn Gurney, Customer Service Specialist
- Candy Lee Giambruno, Customer Service Specialist

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$22,848.80 for the Sheriff's Office (PO #5888)

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, IT Director Steve Higgins (left at 9:33 a.m.), IT Business Manager Caiti Pendell (left at 9:33 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Resolution Classifying Records of the Information Technology Department and Authorizing the Destruction of Financial Records: Ms. Pendell explained this destruction resolution is for FY18 financial records; an exhibit list is included with the resolution. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution classifying records of the Information Technology department and authorizing the destruction of financial records (resolution no. 24-019).

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 9:34 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton. Commissioner Holton took a roll call vote where he along with Commissioner 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel and COO Greg Rast. The Executive Session concluded at 10:00 a.m. with no decision being called for in open session.

Following the executive session, a brief discussion was had regarding next week's schedule. Both the Board and the Prosecutor's Office will be attending outside conferences so the legal staff updates scheduled for both Tuesday, January 30th and Thursday, February 1st will be cancelled. If there are any urgent items the legal staff will be available via phone or email.

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

CONSIDER A RESOLUTION TO ISSUE A REFUND TO STEVEN & DESTINY PLATT FOR A WITHDRAWN VARIANCE REQUEST, CASE NO. AD2023-0095

The Board met today 10:15 a.m. to consider a resolution to issue a refund to Steven and Destiny Platt for a withdrawn variance request, case no. AD2023-0095. Present were: Commissioners Leslie Van Beek and Brad Holton, DSD Office Manager Jennifer Almeida, DSD Director Sabrina Minshall, COO Greg Rast and Deputy Clerk Jenen Ross. Ms. Almeida explained that the applicant applied for a variance to reduce an access easement. A fee of \$600 was collected and some work was completed and research done. Once the research was done the applicant chose to withdraw their application for a variance and apply for a modification. DSD staff is recommending a refund of \$420.00. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to approve the resolution to issue a refund to Steven and Destiny Platt for a withdrawn variance request, case no. AD2023-0095 (resolution no. 24-020).

The meeting concluded at 10:18 a.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION: MEETING WITH COUNTY ASSESSOR REGARDING MISSED SUPPLEMENTAL AND OCCUPANCY ROLLS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:30 a.m. to conduct a 2023 supplemental roll protest of valuation hearing for AB Homes LLC/PIN: 24413120 0/Protest no. 23127 and BB3402 LLC/PIN 24413121 0/Protest no. 23128. Present were: Commissioners Leslie Van Beek and Brad Holton, Administrative Property Appraiser Supervisor

Greg Himes, Appraiser Supervisor Mike Cowan, COO Greg Rast, Director of Constituent Services Rick Hogaboam (arrived at 10:58 a.m.), Stephanie Boomgarden for AB Homes LLC and BB 3402 LLC and Deputy Clerk Jenen Ross.

Note for the record: At approximately 10:35 a.m. Commissioner Van Beek made a motion to adjourn as the Board of County Commissioners and convene as the Board of Equalization. The motion was seconded by Commissioner Holton and carried unanimously.

Stephanie Boomgarden offered testimony in support of the protest applications. Mike Cowan and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value, she then revised her motion to adjust the value on both properties to \$1,749,300 as provided by the Assessor's Office. The motion was seconded by Commissioner Holton and carried unanimously. The hearing concluded at 11:01 a.m. An audio recording is on file in the Commissioners' Office.

GO ON THE RECORD AND CONTINUE PUBLIC HEARING – REQUEST BY MARK JOHNS FOR A CONDITIONAL REZONE, CASE NO. CR2023-0001

The Board met today at 1:50 p.m. to go on the record to continue the public hearing that was scheduled for Case No. CR2023-0001, a request by Mark Johns for a conditional rezone. Present were: Commissioners Leslie Van Beek and Zach Brooks, DSD Associate Planner Madelyn Vander Veen, and Deputy Clerk Monica Reeves. The applicant had requested a new hearing date. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to move the hearing to February 22, 2024 at 1:30 p.m. The meeting concluded at 1:51 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2024 TERM
CALDWELL, IDAHO JANUARY 24, 2024

There were no meetings scheduled today.

JANUARY 2024 TERM
CALDWELL, IDAHO JANUARY 25, 2024

APPROVED JANUARY 26, 2024 PAYROLL

- The Board approved the January 26, 2024 payroll in the amount of \$2,309,384.22

APPROVED CLAIMS

- The Board has approved claims 601997 to 602030 in the amount of \$33,302.89

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 and Zach Brooks, Commissioner Brad Holton joined the meeting at 10:13 a.m. via teleconference, Chief Deputy P.A. Carl Ericson, Deputy P.A. Laura Keys, Parks Director Nicki Schwend (left at 9:48 a.m.), Facilities Director Rick Britton, Cpt. Harold Patchett, Norm Brown, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Historic Preservation Support Award agreement with Canyon County Historical Society:

Director Schwend explained Canyon County Historical Society applied on behalf of the City of Nampa Arts & Historic Preservation Commission in an effort to continue implementing Nampa's historic preservation plan with a focus on the Shalimar Terrace and Glen View Estates neighborhoods. The funding amount applied for and granted is \$19,716 in order to hire a professional consultant to assist with the project and determine if they are eligible for the National Register of Historic Places status. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Historic Preservation Support Award agreement with Canyon County Historical Society (agreement no. 24-011).

Consider Invitation for Bids for Canyon County Laundry Equipment & Installation Project; and Consider Legal Notice Inviting Bids for Canyon County Laundry Equipment & Installation Project:

Director Britton explained this is for new laundry equipment, 7 washers and dryers. They are trying to remain with the current brand being used in an effort to stay compatible. These are heavy duty machines but will be more energy efficient. The expected lifespan is approximately 10 years due to the excessive daily use. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the invitation for bids and legal notice for Canyon County Laundry Equipment & Installation project.

Ms. Keys presented a letter for Board signatures notifying taxing districts of the Board's intent to consider a tax exemption for *Project Fluid*. This project was presented to the Board in August and the Board has requested additional time to review the letter.

The Board went off the record from 9:42 a.m. to 9:47 a.m.

Once back on the record there were no matters for open session but a request was made to go into executive session as follows:

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 9:48 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d) regarding an interest in real property and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. Commissioner Brooks 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 Leslie Van Beek and Zach Brooks, Commissioner Brad Holton joined the meeting at 10:13 a.m. via teleconference, Chief Deputy P.A. Carl Ericson, Deputy P.A. Laura Keys, Facilities Director Rick Britton, Cpt. Harold Patchett, Norm Brown and COO Greg Rast. The Executive Session concluded at 10:26 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.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 11:32 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Zach Brooks, Case Manager Kellie George and Deputy Clerk Jenen Ross. Ms. George presented the following cases for Board consideration:

Case nos. 2006-290 and 2017-996: Both of these cases have fulfilled their obligation to county and lien releases are being requested. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign lien releases on each of the cases.

Case no. 2024-8: This case has met the eligibility criteria for cremation and Indigent Services recommends approval. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the cremation.

Case no. 2024-7: Indigent Services did as much as investigation as possible and are recommending denial. Ms. George gave history of case and details of why they are recommending denial. The county is not the payer of last resort and residency in Canyon County was not established. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to deny the case.

The meeting concluded at 11:39 a.m. and an audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE ADMINISTRATIVE DISTRICT JUDGE AND THE TRIAL COURT ADMINISTRATOR

The Board met today at 1:30 p.m. with the Administrative District Judge and the Trial Court Administrator. Present were: Commissioners Leslie Van Beek and Zach Brooks, Interim TCA Benita Miller, Deputy Clerk Jenen Ross. Ms. Miller updated the Board on the following:

- Next week they will be attending an admin conference where budget priorities for the courts will be worked on. The state is always out two years so these will be priorities for FY26.
- Responsibility has been given to the Magistrate Commission to be the interview panel and select the Regional Public Defender. Commissioner Holton will serve on the panel as he is already on the Magistrate Commission. Chief Public Defender Aaron Bazzoli has been assisting Ms. Miller with contacts to ensure all guidelines are being followed. At this time, they plan to conduct interviews in April; the selected Regional Public Defender should be hired by July 1st.
- In the past year, there have been a couple of magistrate commission meetings held and per information recently received from the Supreme Court the food purchased for those meetings can be reimbursed so Ms. Miller intends to submit for that.
- With help from the Clerk's Office and in working with the magistrates, pre-trial infractions are now heard on Fridays without a judge but with a deputy prosecutor; they are able to hear 10 cases in 30 minutes and Chief Deputy P.A. Doug Robertson thinks they should be able to increase that to 15 in 30 minutes. Often these are infractions that are easily rectified so this is making it much more efficient for everyone involved.
- The Jury Commissioner has several ideas for jury fees donated back to the county.

The meeting concluded at 1:43 p.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER TAX CHARGE ADJUSTMENTS BY PIN DECEMBER 2023

The Board met today at 2:02 p.m. to consider tax charge adjustments by PIN for December 2023. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Auditing Supervisor Sarah Winslow, Steve Burton, and Deputy Clerk Monica Reeves. Treasurer Lloyd reviewed the administrative adjustments for the month of December which totaled \$2,161.91. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the tax charge adjustments by PIN for this period for the amount of \$2,161.91 as presented by Treasurer Lloyd. The meeting concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH CHRIS BATEMAN, VICE PRESIDENT OF TIME VALUE INVESTMENTS, REGARDING PUBLIC SECTOR INVESTMENT STRATEGY AND OVERALL ANALYSIS OF CANYON COUNTY'S INVESTMENT PORTFOLIO

The Board met today at 2:04 p.m. for a meeting with Chris Bateman, the Vice President of Time Value Investments (TVI), regarding public sector investment strategy and overall analysis of Canyon County's investment portfolio. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Treasurer Tracie Lloyd, Chris Bateman from Time Value Investments, Chief

Deputy Treasurer Jennifer Watters, Auditing Supervisor Sarah Winslow, Steve Burton, and Deputy Clerk Monica Reeves. Mr. Bateman provided three handouts today that were part of his presentation, copies of which are on file with this day's minute entry.

Background on TVI

- Reviewed some basics on public funds investing
- Graph of the 5-year U.S. Treasury Rate over the past 10 years
- Graph of the U.S. Treasury Yield Curve
- Bond ladder trivia

Idaho LGIP vs Federal Funds Rate

- LGIP rates 2021 vs. 2023
- Federal funds rate going back to the year 2000
- End of 2024 Federal Funds Rate Projections (& impact on bond yields)

TVI Platinum Reporting Prepared for Canyon County

- Portfolio details sorted by maturity distribution; investments; and cash flows.
 - Select earnings locked in for 4-5 years
 - \$16.5 million "par value" is approximately 21% of the overall portfolio.
 - This portion of the portfolio will earn approximately \$3 million over the next 4-5 years (48-60 months)

Treasurer Lloyd said what prompted this meeting was the question "*Why are we not earning more money on our investments when we have 5.5% at the LGIP?*". When we received ARPA money it was put into the LGIP and the interest earned is LGIP earnings so in 2020 it was making next to nothing, but that's where we put it because we didn't know what we were going to do with it and she wanted to keep it liquid so it has stayed in the LGIP. With our other investments the rate of return hasn't been that great but if you go back to when the investment was purchased at that time it was a good purchase. There was discussion regarding yields, rates of return, and bonds (we buy and hold, we don't sell), and bond credit ratings (AAA). Treasurer Lloyd said we are very limited on what we can invest in; in Idaho, cities can invest in things that are counties are not allowed to. Steve Burton, a local citizen, had questions for Treasurer Lloyd and Mr. Bateman regarding investments. Information was exchanged with no motions, action items, or Board direction entertained or given. The meeting concluded at 3:06 p.m. An audio recording is on file in the Commissioners' Office.

CONTINUATION OF THE PUBLIC HEARING TO CONSIDER A REQUEST BY JEFF VANWINKLE FOR APPROVAL OF A SHORT PLAT FOR VANWINKLE SUBDIVISION, CASE NO. SD2022-0046

The Board met today at 4:02 p.m. for a continuation of the public hearing in the matter of the request by Jeff VanWinkle for approval of a short plat for VanWinkle Subdivision, Case No. SD2022-0046. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Jeff

VanWinkle, Principal Planner Dan Lister, DSD Director Sabrina Minshall, and Deputy Clerk Monica Reeves. Today's hearing was continued from January 17, 2024 where staff needed additional time to review engineering information. Principal Planner Lister advised that the private road certification meets the code and has been reviewed by the County's engineer and planning staff and it meets the requirement for the minimum standard for less than 100 average daily trips. Staff recommends the FCO's be signed today. According to Planner Lister, the final plat is not ready to be signed because it lacks some signatures, but it should be ready in another week. Commissioner Van Beek made a motion to sign and approve the short plat for VanWinkle Subdivision based on the evidence submitted and reviewed by DSD in Case No. SD2022-0046. The motion was seconded by Commissioner Brooks. Planner Lister said the motion should be for the preliminary plat. Commissioner Van Beek amended her motion to just be for the preliminary plat as there are still things waiting on the final plat. The amended motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 4:06 p.m. An audio recording is on file in the Commissioners' Office.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 26, 2024

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for:

- William Clark, Deputy Prosecuting Attorney - I Criminal

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, Lt. Russell Donnelly, and Chief Operating Officer Greg Rast. 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.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 29, 2024

Commissioners attending IAC Midwinter Legislative Conference at the Riverside Hotel in Boise, Idaho.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Megan Mawyer, Emergency Communications Officer 1

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Heritage Club to be used 2/10/24.

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 30, 2024

Commissioners attending IAC Midwinter Legislative Conference at the Riverside Hotel in Boise, Idaho.

APPROVED CLAIMS

- The Board has approved claim 602429 ADV in the amount of \$9,981.45
- The Board has approved claim 602430 in the amount of \$172.50

JANUARY 2024 TERM

CALDWELL, IDAHO JANUARY 31, 2024

Commissioner Brooks attended the IAC Midwinter Legislative Conference at the Riverside Hotel in Boise, Idaho.

APPROVED CLAIMS

- The Board has approved claims 602431 to 602471 in the amount of \$488,988.04
- The Board has approved claims 602472 to 602515 in the amount of \$43,745.13
- The Board has approved claims 602516 to 602556 in the amount of \$100,055.46

THE MINUTES OF THE FISCAL TERM OF JANUARY 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 1st day of MARCH, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS



Commissioner Leslie Van Beek

Commissioner Brad Holton



Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: Monica Reeves, Deputy Clerk

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 1, 2024

Commissioner Brooks attended the IAC Midwinter Conference today which was held at the Boise Centre.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 2, 2024

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 02/04/24.
- The Board approved an Idaho Liquor Catering Permit for Raising Our Bar to be used 02/10/24.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Bonnie Peters, Temporary Customer Service Specialist (Rehire for property tax reduction season)
- Kevin Curl, Deputy Sheriff (transfer from patrol to CID)
- Allie Cimolino, promotion to Clerk III

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$10,337.60 for the Information Technology department (PO #5974)
- Dell in the amount of \$8669.11 for the Information Technology department (PO #5975)
- Dell in the amount of \$5698.08 for the Information Technology department (PO #5972)
- Amazon in the amount of \$5222.00 for the Information Technology department (PO #5973)
- Real Environmental Products in the amount of \$5906.00 for the Solid Waste department (PO #5909)
- Crane Alarm Service in the amount of \$7575.00 for the Solid Waste department (PO #5910)
- ACCO in the amount of \$45,651.00 for the Facilities department (PO #5926)

CONSIDER RECOMMENDATIONS OF CANYON COUNTY REPUBLICAN CENTRAL COMMITTEE ON A NEW CLERK APPOINTMENT

The Board met today at 1:02 p.m. to consider recommendations of the Canyon County Republican Central Committee on a new Clerk appointment. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Controller Zach Wagoner, Elections office staff Brandi Long, Haley Hicks and Robin Sneegas, Director of Indigent Services Yvonne Baker, Director of Misdemeanor Probation Jeff Breach, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, HR Director Kate Rice, HR Business Partner Kendra Elgin, Court Training and Development Manager Raena Bull, Director of Court Operations Jess Urresti, COO Greg Rast, Director of Constituent Services Rick Hogaboam, Communications Specialist Chad Thompson, Other interested citizens, Mr. and Mrs. Almer and JoDee Arnold, Erin Banks-Rusby with the Idaho Press and Deputy Clerk Jenen Ross.

Commissioner Van Beek stated that the Board of County Commissioners recently attended the Republican Central Committee meeting where candidates presented themselves. Following the meeting the Board felt like there was one clear recommendation and candidate. She said the Board appreciates those who applied and are excited for the new adventure in this critical office.

Commissioner Brooks noted for the record that the three recommendations from the Central Committee were Rick Hogaboam, JoDee Arnold and Steve Almer. His vote is for Rick Hogaboam. He spoke to his relationship with Mr. Hogaboam and the experience he brings. It is his opinion that he is the best suited candidate for taking on this job of being Clerk. Commissioner Van Beek supported Commissioner Brooks' comments and spoke about her knowledge of Mr. Hogaboam's experience and credentials and how those will be beneficial in stepping into this position.

Commissioner Holton explained that the person appointed today will need to run for the office this year; this appointment will not run the duration of Clerk Yamamoto's term.

Commissioner Brooks made a motion to appoint Rick Hogaboam as the next Clerk. The motion was seconded by Commissioner Van Beek and carried unanimously.

Mr. Hogaboam expressed his appreciation for this appointment and how he is looking forward to fulfilling this position and working with the Clerk's team.

The Board recessed from 1:11 p.m. to 1:21 p.m.

When the Board went back on the record present were Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, COO Greg Rast and Director of Constituent Services Rick Hogaboam.

Commissioner Brooks made a motion to sign the resolution of appointing to the Office of the Canyon County Clerk, Rick Hogaboam. The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution no. 24-021. Mr. Ericson left the meeting at 1:23 p.m.

A request was made to enter into executive session as follows:

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 1:23 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. 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, Director of Constituent Services Rick Hogaboam and COO Greg Rast. The Executive Session concluded at 2:38 p.m. with no decision being called for in open session.

Commissioner Brooks made a motion to adjourn the meeting. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 2:38 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 5, 2024

There were no meetings scheduled for today.

APPROVED CLAIMS

- The Board has approved claims 602557 to 602591 in the amount of \$242,566.39

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 6, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Megan Mawyer, Emergency Communications Officer I (Certificate pay)
- Rick Hogaboam, Canyon County Clerk
- Chris Yamamoto, Temp. help to assist with County Clerk transition

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- ACCO in the amount of \$24,114.00 for the Facilities department (PO #5927)

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Director of Juvenile Detention Sean Brown (left at 9:32 a.m.), Landfill Director David Loper, Parks Director Nicki Schwend (left at 10:11 a.m.), Treasurer Tracie Lloyd (left at 10:10 a.m.), Deputy Treasurer Tonya May (left at 9:46 a.m.), HR Business Partner Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Classifying Records of the Canyon County Juvenile Detention Center and Authorizing the Imaging and/or Destruction of Certain Files/Records: Mr. Wesley explained this is an update to the existing resolution to continue keeping files current. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution classifying records of the Canyon County Juvenile Detention Center and authorizing the imaging and/or destruction of certain files/records (resolution no. 24-022).

Consider legal notice of public hearing to consider increasing the on-site credit card fee for the Pickles Butte Sanitary Landfill: Director Loper said that the purpose in increasing the fee is to recover costs to the landfill. The last time the fee was increased was January 2023, however recent calculations indicate the fee would need to be increased to \$2.25 to cover costs. Commissioner Van Beek made a motion for the Board to sign the legal notice of public hearing for the date specified of February 27th where the Board will hear public comments regarding the increase of the credit card fee to \$2.25 as presented. The motion was seconded by Commissioner Brooks and carried unanimously.

A brief discussion ensued regarding the draft fee proposal for the landfill.

Consider Notice to Parties in Interest regarding Resolution Authorizing Transfer of Excess Sale Proceeds to Parties in Interest and State Treasurer: Ms. Keys said this relates back to the Feb 22nd surplus property auction which took place in November. At the request of Commissioner Van Beek, Treasurer Lloyd spoke about how the Parties in Interest process works. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the notice to parties in interest regarding resolution authorizing transfer of excess sale proceeds to parties in interest and the State Treasurer. Copies of the notice letters are on file with this day's minutes.

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

EXECUTIVE SESSION – ACQUISITION OF AN INTEREST IN REAL PROPERTY AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 9:47 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d) regarding acquisition of an interest in real property and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Landfill Director David Loper, Parks Director Nicki Schwend, Treasurer Tracie Lloyd, HR Business Partner Jennifer Allen and COO Greg Rast. The Executive Session concluded at 10:08 a.m. with no decision being called for in open session.

Following the executive session, the following action item and discussion were taken up:

Consider Letter of Intent for Purchase and Sale of Vastine Inhold Parcel: The county has been in negotiation with the Vastine Family regarding a parcel near Celebration Park that would be beneficial to the county in a larger trade agreement with the BLM to secure property that is within the known Celebration Park boundaries. This is a non-binding contract; it simply documents the conversations that have been had with the Vastine's to this point and what the material terms of those discussion are. Commissioner Van Beek made a motion to sign the letter of intent for the purchase and sale of the Vastine Inhold parcel as presented. The motion was seconded by Commissioner Brooks and carried unanimously.

Discussion ensued regarding the caretaker position for the landfill. Ms. Keys spoke about updating the job description and changes to the agreement. Director Loper stated that there is a caretaker, although the position has been vacant for a while, employed by the County who lives on-site at the Landfill and provided information as to what the position entails. The Board is supportive of this continuing to move forward.

Commissioner Van Beek made a motion to continue legal staff update to 1:30 p.m. today. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:17 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH BLACK CANYON IRRIGATION DISTRICT

The Board met today at 10:30 a.m. with the Black Canyon Irrigation District (BCID). Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, Engineering Supervisor Dalia Alnajjar, Planning Supervisor Carl Anderson, Deputy PA Zach Wesley, COO Greg Rast, Attorney Andy Waldera from Sawtooth Law Offices, Carl Hayes, BCID Manager, John Hartman, BCID Director, Mike Wagner, BCID Chairman, Chris Clelland, BCID Board Member, Don Popoff, the Contract District Engineer with the Nampa Office of RH2 Engineering, Alan Mills, Matt Wilke, Steve Burton, and other interested citizens as well as Deputy Clerk Monica Reeves. Today's meeting was held in response to the November 27,

2023 meeting the Board had with Todd Lakey who represents the Snake River Valley Building and Contractors Association and affected members of the public expressing concern over various criteria from BCID for land use applications. Commissioner Holton made opening comments and referenced the November 27 meeting, as well as the governing bodies' fiduciary responsibilities and the importance of communicating and working together.

District Manager Carl Hayes said BCID's goal is to foster a collaborative relationship with the County. He provided a PowerPoint presentation which included an overview of the district and their facilities. BCID serves 60,000 acres of irrigated lands in Gem, Canyon and Payette Counties.

Attorney Andy Waldera gave an overview of Title 42 and 67 authorities and said the message he heard during the November 27, 2023 meeting with Todd Lakey was that the County should divorce itself from the irrigation entity process and vice versa and that the two should not lean on one another perhaps as much as they do. Mr. Lakey and the development community cited Idaho Code, Section 31-3805 which is the statutory provision which deals with the design and implementation of surface water irrigation systems within a subdivision to perpetuate the use of surface water for irrigation purposes instead of groundwater. That statute speaks in terms of advice or advisory position of the irrigation entity, vis-a-vis the local land use jurisdiction which is Canyon County in this case. Irrigation entities, including a single ditch owner, owes various statutory duties under I.C. 42-1201-1204 and ultimately for purposes for operations is it's a negligence-based legal standard and all irrigators/water users who rely on ditch systems are obligated to operate and maintain their systems and to deliver water as safely and efficiently as possible in a non-negligent manner. There are a number of protections built in the statutes for purposes of ditch owners and operators. I.C. 42-1102 and 42-1204 reiterate that ditch easements and rights of way of are essential and are to be protected. I.C. 42-1102, 42-1207 and 42-1209 all require the prior written permission of the ditch owner so that the owner/operator of the ditch can be satisfied whatever modification might be headed their way or encroachment on the right-of-way is something that can reasonably coexist with the operation function and integrity of the ditch system. He referred to a case from 2012, *Pioneer Irrigation District vs. City of Caldwell*, where there was an intersection of what are the rights and obligations of the irrigation entity as it relates to those who seek to modify or encroach on irrigation systems owned, operated, and maintained by the irrigation entity. The Idaho Supreme Court was clear that because of the statutory duties owed and the protections in many of these statutes and the legislature has vested in the irrigation entity - these statutes impose liability and therefore the legislature has adopted other statutes that provide the irrigator/water user with the initial cut of first discretion to determine what is or is not material and reasonable interference as it relates to modifications or encroachments to ditch systems. The ditch owner or operator is the expert in the field and they get the first cut of discretion as long as their decision-making is reasonable and not arbitrary and capricious, their decision stands and is owed judicial deference on judicial review should somebody disagree with the irrigation entity's decision.

I.C. 67-6519(4): The local land use planning jurisdiction is required to provide notice to an irrigation entity if the entity signs up as an interested agency as it relates to application submittals.

I.C. 67-6528: It is the local land use jurisdiction's obligation to adopt and implement a zoning ordinance under the consideration of the needs of the state of Idaho, other agencies, and special purpose districts.

He thought what he heard from the November 27th meeting was the idea where Title 42 entities and Title 67 entities need to stay in their lane. He disagrees with that for practical reasons and for core legal reasons, and where the local land use jurisdiction gets to take the baton and run with it is the County has broader police powers of the citizenry, and the question becomes not only should there be crosspollination as a practical matter, but also as a legal matter, but what does the County think is appropriate going forward under its own police powers as to what it decides to do with where it takes this crosspollination. What he thinks ruffled the feathers of the development community with respect to BCID had to do with various subdivision requirements, plan review, and facility tiling, fencing, easement protection, etc. He spoke of how Payette County has ordinance requirements regarding provisions for tiling of irrigation ditches and facilities within platted subdivisions in the name of public safety, and if the titling is not feasible or is unreasonable the facilities are supposed to be fenced. The big takeaway from his perspective is it's more than just advisory, these things matter. You have a new statutory provision from 2023, I.C. Section 42-204(A) which now requires Idaho Department of Water Resources (IDWR) to condition new groundwater applications to mandatorily condition to require the use of surface water first before groundwater sources can be used irrigation purposes provided that the ground involved in a development, or an applicant's ground, has available to it surface water delivery from a surface entity. While the Department is required to condition that that way and the County and the irrigation entities all want to follow that requirement too, how can we perpetuate the use of surface water for irrigation through these developments without cohesive planning and without talking to one another to make sure that surface water is being used and that the systems are being protected. The attractive high-dollar amenity-driven development that people are attracted to and want to buy into is where surface water already exists. We need to work together to perpetuate the ongoing function and integrity and reliability of these systems. There are different decision drivers for the County, for the irrigation entities, and for private developers and at the end of the day private developers are in it to make money and there's nothing wrong with that, but they are incentivized by virtue of their business model to maximize profit wherever they reasonably can and it leaves the County and the irrigation entities making 50-100-year decisions that are not for profit that are for cohesive planning and perpetuation of these improvements after the developer has moved on to its next project. Those who are left behind are living with and dealing with these situations going forward, the same ones who rely on irrigation water BCID delivers.

Don Popoff, the district's engineer, spoke about how he meets with developers and lets them know what the BCID policies are. The district has a very defined process posted on their website so developers can see it and they have made a very large effort to methodically respond to the sheer volume of development that is occurring. There is currently over 2,500 lots in some form of development. Mr. Popoff outlined BCID's development review process:

- Starts with notification

- The District responds and/or tracks every notification received
- Constantly responding to Canyon County P&Z notifications. (Over 60 notifications in 2023)
- The District's process has to be in step with the County process. Once lots are legally split (final plat signed), billing for the new lot owner is transferred. The District has processes that occur with the County's subdivision process. Has to be in sync.
- Reference was made to the Farmington Hills development which has 492 lots with several phases, however, it's an active case in Canyon County so no further comments or review were made regarding the project. In similar cases they look at the infrastructure that is affected. Sometimes they have to move piping, relocate a lateral, etc., because most laterals were placed on contours but subdivisions do not go how the land flows, they are squared off to maximize densities.
- Make sure the entity has spoken to BCID so they can follow the District's process. They have to work together.
- Intake Application
- Fees for applications are posted online
- Pre-Development meeting application meeting where they walk through the steps
- Development intake quote provided to the application (Estimate of costs for review is based on the project specifications).
- Development review process includes the step-by-step procedure, laying out the path for approval.

Communication with Other Entities

- The Districts meets with Canyon Highway District 4 on a bimonthly basis
- Meets with the City of Middleton P&Z bimonthly
- Meets with Gem County P&Z on an as-needed basis
- Met with Canyon County on August 14, 2023 and provide similar outlines of process/attempted to set up regular meeting with P&Z staff like they do with other entities, but so far that has not successful.

Mr. Popoff reviewed examples of developments they deal with including encroachment issues and disregard for irrigation easements. If they ignore irrigation and allow development to the most cost effective route for them we will end up with pipelines running through neighborhoods, between houses, underneath sheds, that are going to be a nightmare to fix and manage someday. They want to make sure there is ample room to work on facilities and it stays clear. To catch it at the preliminary plat stage is the goal so they can make sure the water will get to the end user.

Things that Drive Costs Up for Developers:

- The District sees plans that are illegible or not up to standard and requirement multiple reviews.
- Design by review: developers will provide through an engineer and send in a minimal plan and basically asking the District to design it for them and that costs money.
- Incomplete plans/plans do not work/hydraulic grade lines are incorrect.

- Construction is not completed by Idaho Standards for Public Works Construction (ISPWC)/won't pass a pressure test, etc., and these are things that drive costs up for developers.
- The District's stance is development pays for development. It's not fair existing landowners that are using irrigation water to be pay for a for-profit developer.
- There are subdivisions when issues are identified ahead of time the process goes smoothly.
- Spoke of the importance of collaboration.
- The District is not anti-development, it works hard to stay ahead of the County's process with completed reviews in order to make something work for the developer and still achieve lasting reliable delivery for the irrigation district patrons. BCID has been proactive in trying to tackle the volume of development applications.

Mr. Hayes said everything they've reviewed today has been a product of trial and error and their goal is to figure out a way to do this in a way that is transparent and works well with everybody and that they are organized and have a plan to move forward that meets the statutory obligations. They have done some things wrong and weren't organized, but those errors helped them develop the process they have today. Their goal is to do the best they can for their patrons and work with the agencies to do the best for theirs. BCID has struggled with keeping pace with inflation and how to manage the volume of projects and not pass those costs on to the ratepayers that are just paying for irrigation water.

John Hartman said prior to Don Popoff coming on his team was buried in development projects and there were several people asking why the review process was taking a year to get a decision and the BCID couldn't handle the volume without having an engineer on staff. They have good competent staff, but they're not engineers so bringing Mr. Popoff on has helped streamline the process and instead of the turnaround being 3-6 months they can now track it and see where they are in the process. It's not without some cost to the district to help support it, but the turnaround time has to be beneficial to the developers and to staff.

Mike Wagner said the district manager's plat is full and this has piled on top of it and they are managing an irrigation district and trying to deliver water but a lot of time is spent dealing development and it's over and above what they are trying to do and the expenses are over and above what they are trying to do. The development is where the profit is, the rest of us are just trying to keep things going. The development is over and above so if it costs, it costs but it should not cost the landowner who didn't sell and is just trying to pay his water bill and exist.

Chris Clelland said development should pay for development. It should not be the landowners who are farming to pay for expansion and development. The irrigation facilities that were put in that develop the ground to farm it and irrigate it that cost is shared among the growers and those with irrigated acres. Anything that changes the use of that land and any of the infrastructure that changes with that those who want that change should be responsible for the added cost.

Commissioner Van Beek had questions regarding BCID's application forms and she asked who has the expertise to review the information regarding head gate checkboxes, etc., to ensure the

engineering. She spoke of the importance of working together, delivery, return and recharge. Discussion ensued about the review of infrastructure.

Mr. Waldera said where you see most of the problems in delivery failures is outside of the jurisdiction of the overarching irrigation entity. It's up to the private water users on those systems to protect the integrity and function of their systems so when a pipe gets cut up or rots out or a box gets mis-built, it's up to those individuals to band together to fix it or go after the person who broke it. There was further review of the statutes. When three or more people take delivery the common point of diversion on a canal, lateral or reservoir, they are by default a lateral water users association and the question becomes are they unincorporated or do they incorporate? They exist and are afforded the same protections as BCID.

Commissioner Holton said Meridian, some of Ada County, and parts of Boise have determined that the irrigation district shall set the standards of the subdivisions and so when you look at these facilities they have pumping stations on the canals, they are delivering to the subdivisions and they have ultimate control. The subdivisions operate with impunity because somebody operates and maintains the system. What he heard Mr. Waldera say causes him fear because Canyon County is being presented with land use applications for developments that are much more than three people and you're telling me that after the walls falls off the weir it's their problem which becomes all of our problem. We need to look at those systems and work together to create a system that takes care of these people. He spoke about his experience with the City of Greenleaf creating an irrigation district that became part of a solution. He wants to explore a better way than to let it fall off a weir and those people take care of it. The City of Caldwell has some good examples of developers, who, in his opinion, did not service those people of that development. What we're talking about is people who move into developments and the majority have no idea where irrigation water comes from nor do they care, so, for the quality of life and the safety of people let's consider a system that is broader than what we are describing, a system that is safe, reliable, and repairable.

Mr. Waldera said there are band-aids available, but there are other options available on the landscape that are filling some of those gaps. He about city systems with municipal pressurized irrigation systems where they take delivery from a main irrigation district and the city takes on that burden and responsibility. There are statutes available to neighborhoods of water users that allow them to petition an irrigation district to build them a system under a localized special assessment. The problem is trying to get the neighbors to organize and do that because all they see is added cost. It's about education and value of the water on the ground and without that base agreement or understanding they will want to exclude from the district because they do not care about the irrigation water, they'll use potable water for their small lot. It is a hodgepodge but there are opportunities and other mechanisms that do exist to fill the gaps. At some point the large irrigation entity has to stop and the intermediate entities or the end water users have to take it upon themselves to stand on their own and perpetuate the use of this resource. It doesn't mean BCID can't help them along that path, but you'd be looking at a district with a staff to cover 60,000 acres. There are other entities that do more regional things, but it's not where BCID is yet, but it is being faced with a lot of development but it's still largely agricultural and where you see these

other gap filing entities is in the developed areas. Commissioner Holton said he agrees, but his problem is there are islands of development in the middle of nowhere and they want city benefits without the infrastructure and without wanting to pay for it. Regardless of how small the division is of the water falling off a weir to the end user, it is all of those end users you are putting a water toll on and you are receiving money to operate and so we have a problem. We are not going to solve this today, but we have expectations of the people who move into new developments who want it to be like a city but they bought in the County, how do we develop wisely so that those who buy the lots have a reasonable expectation of what they're getting involved with. Mr. Hayes said Commissioner Holton just outlined what BCID's learning curve is, and they've talked with Nampa Meridian Irrigation District who operates pump stations and they are working towards figuring out how to better manage those situations. They do not have as big an issue now with the newer developments and even those that have pressurized systems that have been in place for 20+ years as they did with the older systems that were primarily gravity. Pressurized irrigation systems have helped mitigate the concerns Commissioner Holton outlined and they are working on how to best manage it. They have spent a lot of hours with the communities who have dilapidated systems, but they are seeing less and less of that.

Commissioner Van Beek had questions regarding mapping related to overlays and templates. Mr. Popoff said BCID invested in mapping that shows where the laterals are in GIS and when a developer comes in with a project they will overlay their development onto the mapping and see where the pipelines, laterals, or ditches fall. Another component is the upkeep of the mapping to reflect the easements that were moved and include infrastructure, and BCID's stance is that should be a cost to the developer.

Commissioner Van Beek said a question she heard from the developers dealt with the requirements for tiling and if you have pivots that's great, but surface irrigation is less effective on some of those and so what are the cumulative effects? Is BCID working with IDWR, and how is that affecting the agricultural component because the Board is hearing that tiling is poor for recharge and is diminishing the availability for surface water for farmers. Mike Wagoner said he recognizes the water filtration of the canals, but as they bury those ditches and put pivots in they save irrigation water. Last summer they were on 7/10 of an inch for 30 days. He can irrigate 100 acres with 70 inches, but he's making a living on that where a subdivision still gets their 32-35 inches for their 40 acres to irrigate their yard which he finds hard to accept. He spoke about water shortages and water efficiency and said if he didn't have pivots his land would burn up on 7/10 of water. He recognizes the desire to put the water back in the aquifer but people are still drilling wells in this valley and there wasn't water in the drain ditches before BCID brought Payette River water over the hill. There is water in drain ditches so there is plenty of water filtrating into the system with all of the pipelines and the benefit that they get of saving that water when it's 100 degrees in 1,000 miles of open ditch. Commissioner Van Beek said that's different information and a different perspective than what she heard. The challenge is how much recharge should go back in and how much does a farmer need given that the development is taking a portion of your water right. Mr. Hayes said part of the groundwater study came out of work they did through the Treasure Valley Water Users Association (TVWUA); they work with the IDWR and the Idaho Water Users Associations (IWUA) on a regular basis and they've worked to fund those studies in order to

understand the situation better and part of what they are finding eastern Idaho and what they are learning here is if you can save surface water in certain areas you have opportunities to target recharge in the future if needed in a more beneficial location. In the end it comes back to BCID's statutory obligations, they are a surface water delivery agency and they have statutory obligations to do that as efficiently as possible and that is what drives the piping portion of things so they can save as much surface as possible and put it where it needs to go and meet their statutory obligations but they are also looking to the future and funding those studies in order to figure out how to negate what's coming down the pipeline.

Commissioner Van Beek said there was concern about quotes and bid estimates for piping certain ditches and she asked the district to address who is the expert on tiling, and how many estimates they get, and who is looking at the specs on laying that pipe. Mr. Hayes said they don't get involved as far as bidding the pipe, their standards go back to the ISPWC standards so they try not to do anything outside of that unless it's not addressed in the standards. They have a slot of certain pipes they accept and design. The engineer and developer select the type of pipe for the type of situation they're in. Outside of ISPWC and what works for irrigation whether it's pressure or gravity they do not review it beyond that. If it works and meets the specs that's fine with BCID. The only time they have issues on pipe selection is when they propose something that doesn't meet ISPWC or is not adequate for a service irrigation entity.

Commissioner Van Beek asked if BCID has met with the development community to address their concerns? Mr. Hayes said they have a weekly meeting on Mondays from 12:00 to 5:00 and it's open for anybody to schedule a meeting and work through issues. He said there are very few board meetings where they don't have somebody requesting a variance or a request for reconsideration so their level of involvement is fairly hands on.

Commissioner Holton thanked BCID for responding to the County's requests for comments on land use projects and said one of the questions the County has to answer is about the availability and practicality of whether it's surface water or groundwater and he looks forward to working together. He also appreciates when they respond and let people know the property is not within the irrigation district. He said he doesn't necessarily agree with some of the testimony that was given at the November 27th meeting, but he appreciates BCID addressing a lot of the issues. Today's meeting did not cover several topics, but he would be open to an additional meeting. Mr. Waldera said the TVWUA is actively discussing and working on these issues and partnering with others like the IWUA, and the Idaho Water Resource Board, and are funding and undertaking studies in an effort to determine how similar or dissimilar we are to the hydrogeology and how those systems work. He encouraged the Board to stay in contact with those groups so we can make decisions that will get ahead of what's going on elsewhere in the state. No Board action was required or taken. The meeting concluded at 12:00 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER PURCHASE AGREEMENT FOR 1212 ALBANY STREET, CALDWELL, IDAHO;
AND A CONTINUED LEGAL STAFF UPDATE

The Board met today at 1:30 p.m. to consider a purchase agreement for 1212 Albany Street, Caldwell, Idaho. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Facilities Director Rick Britton, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, COO Greg Rast, Norm Brown, and Deputy Clerk Monica Reeves. Director Britton worked with realtor Norm Brown and presented the Board with a purchase and sale agreement for property located at 1212 Albany Street which will help with the County's parking needs as the new Sheriff's administration building is being built. Chief Civil Deputy PA Carl Ericson said this is standard real estate agreement, although there are couple things to address related to the lease-back agreement that will be signed by the seller. The language states all utilities shall remain in the seller's name until May 31, 2024 and shall be responsible for all utility billings during this period. The tenant will pay the County \$1 per month for rent. The language states property taxes, water assessments, and utilities, etc., will be prorated upon closing which is opposite of saying the tenant will be responsible for all utilities after closing. We are not going take it over so they have no reason to prorate the utilities. A delayed possession rental agreement will have to be signed since the tenant will be staying there and it says she will be responsible for all utilities going forward, and so they should not include the proration for utilities in the closing. The County will insured for liability and other normal casualties, but not for fire. Commissioner Brooks wants to make sure the County Treasurer is aware the County is purchasing the property. Commissioner Holton made a motion to accept and approve the real estate purchase and sale agreement and to authorize Commissioner Brooks to sign and initial the required pages. The motion was seconded by Commissioner Van Beek and carried unanimously. (Agreement No. 24-013.)

As part of the legal staff update, Deputy PA Wesley spoke about communication from the County Treasurer regarding a parcel that's coming up for auction again. It's been in the County's possession since 1942 where it was taken for tax deed. There is no recorded written easement to this parcel and went it was taken by tax deed it was owned by one property owner with many of the other lots around it as one large chunk and there was no reason for anyone to have an easement at that point. At the last auction there were three distinct opinions about the future of the parcel: one Commissioner wanted to sell to the highest bidder and get it back on the tax roll; another wanted to explore the possibility of using it for a park; and the other wanted to make sure it could be developed as a residential development and sell it as a residential parcel where it would be more valuable. They explored it with the Parks Department who consulted with DSD and found there are portions of the lot that are buildable and some are not, so it will be a large burden to build anything substantially on it. The Parks Department though the idea was interesting but it does not fit within their long-term planning and they thought the City of Caldwell would be a more appropriate home for it since they have some parks up the river from that location although Mr. Wesley doesn't think that idea was explored. There are many legal actions we can take to get an easement there and we could try to negotiate with the property owners, or there are other legal theories to pursue through a quiet title action or we could use imminent domain to get an easement to the parcel if we want to auction or sell with a recorded easement. Commissioner Van Beek asked if the previous auction and details were properly noticed to the public. Deputy PA Wesley believes it was. Commissioner Van Beek said she was the Commissioner is in favor of looking at what realtor Norm Brown says is an appropriate value and not interfering with just a

market process of having people who are interested come forward. Commissioner Brooks wants to sell the property. The Executive Session was held 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 1:45 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) 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, Facilities Director Rick Britton, Chief Civil Deputy PA Carl Ericson, Deputy PA Zach Wesley, COO Greg Rast, and Norm Brown. Commissioner Holton left at 1:50 p.m. The Executive Session concluded at 2:17 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.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 7, 2024

APPROVED CLAIMS

- The Board has approved claims 602592 to 602630 in the amount of \$132,698.22
- The Board has approved claims 602631 to 602670 in the amount of \$29,840.74
- The Board has approved claims 602671 to 602715 in the amount of \$69,499.85
- The Board has approved claims 602860 in the amount of \$6,686.44
- The Board has approved claim 602861 ADV in the amount of \$333.00
- The Board has approved claim 602862 ADV in the amount of \$1,116.00
- The Board has approved the January Jury claim in the amount of \$3,890.03
- The Board has approved claims 602716 to 602769 in the amount of \$110,345.74
- The Board has approved claims 602770 to 602804 in the amount of \$323,153.79
- The Board has approved claims 602829 to 602859 in the amount of \$60,407.66

APPROVED FEBRUARY 9, 2024 PAYROLL

- The Board approved the February 9, 2024 payroll in the amount of \$2,474,234.92

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Ken Garff West Valley Ford in the amount of \$180,440.00 for the Fleet department (PO #5950)
- Dell in the amount of \$21,813.00 for the Sheriff's Office (PO #5889)
- Canyon County Sheriff's Office in the amount of \$19,800.00 (PO # 5885 REVISED) **this PO was originally approved on 1/12/24*

APPROVED CATERING PERMITS

- The Board approved an Idaho Liquor Catering Permit for The Triangle Restaurant to be used 5/26/24.

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Nicholas O'Bryant, Deputy Prosecuting Attorney - II Criminal (Transfer from Public Defender Dept. to Prosecuting Attorney's Office)

MEETING WITH FACILITIES DIRECTOR TO DISCUSS ON-CALL PAY

The Board met today at 1:32 p.m. with the Facilities Director to discuss on-call pay. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, HR Director Kate Rice, HR Business Partner Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider on-call pay for Facilities staff: Director Britton wanted to provide the Board with some additional information and how the on-call pay would impact his budget. Mr. Rast spoke about how on-call pay was implemented in 2018 for Information Technology and that this is the 3rd rate change for Tier I/Tier II. There needs to be accountability for on-call assignments so policy has been included in the facilities handbook. Mr. Rast feels that if you're requiring an employee to be on stand-by they should be compensated to a certain degree. Director Britton said he has contacted other agencies and/or companies that have on-call employees and every one of them has some kind of stand-by pay structure. Based on the number of employees who are currently on-call the budget impact would be approximately \$56,000 and he would like to bring this forward for FY25. The Board is supportive of moving this forward and getting a resolution created. Commissioner Holton moved to recommend to the Facilities Director that he follows on this course and come back with concrete paper and policy that can be put into a motion for approval. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 1:54 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO REVIEW THE 2023 ANNUAL REPORT FOR THE BOARD OF COMMUNITY GUARDIANS

The Board met today at 2:00 p.m. to review the 2023 annual report for the Board of Community Guardians. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, Guardianship Monitor Janet Caufield, BOCG Member Bailey Wilson, COO Greg Rast, JoDee Arnold and Deputy Clerk Jenen Ross. The topics reviewed included the annual impact, lack of guardians, role and responsibility of the Guardianship Monitor and the overall level of obligation that is needed to be a guardian. Commissioner Holton made a motion to officially accept the FY2023 Annual report from the Board of Community Guardians and stated the work done is really appreciated. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 2:19 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION TO ADOPT CHANGES TO THE JOB TITLE OF FOUR (4) POSITIONS IN THE CLERK'S DEPARTMENT

The Board met today at 2:31 p.m. to consider a resolution to adopt changes to the job title of four (4) positions in the Clerk's department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Director of Court Operations Jess Urresti, HR Director Kate Rice, HR Business Partner Kendra Elgin, COO Greg Rast, JoDee Arnold and Deputy Clerk Jenen Ross.

Mr. Urresti spoke about the title changes from Clerk I's to Clerk II's and Clerk II's to Clerk III's noting the change was accounted for in the FY24 budget. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks the Board voted unanimously to sign the resolution to adopt changes to the job title of four (4) positions in the Clerk's department (resolution no. 24-023).

The meeting concluded at 2:35 p.m. and an audio recording is on file in the Commissioners' Office.

COMMISSIONERS RIDE ALONG WITH CALDWELL POLICE CHIEF INGRAM

The Board of Commissioners participated in a ride along with the Caldwell Police Department this evening. It was not a Commissioner meeting. There were no motions, action items or Board direction entertained or given.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 8, 2024

APPROVED CLAIMS

- The Board has approved claims 602805 to 602828 in the amount of \$17,686.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Motorola Solutions in the amount of \$9681.69 for the E911 Advisory Board (PO #5890)
- Bryx, Inc. in the amount of \$201,000.00 for the E911 Advisory Board (PO #5891)

PUBLIC HEARING – REQUEST BY TANNER VERHOEKS OF HAVEN IDAHO FOR A CONDITIONAL REZONE FROM AN “A” (AGRICULTURAL) ZONE TO A CR-R-1 (CONDITIONAL REZONE- R-1 RESIDENTIAL) ZONE, CASE NO. CR2022-0005

The Board met today at 1:35 p.m. to conduct a public hearing in the matter of a request by Tanner Verhoeks of Haven Idaho for a conditional rezone of parcels R28963, R2891010, R2891011 and, R28961, approximately 43.95 acres, from “A” (Agriculture) to CR-R-1 (Conditional Rezone – R-1 Residential), Case No. CR2022-0005. The subject property is located at 9814 Robinson, Nampa. Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy PA Zach Wesley, DSD Planner Michelle Barron, DSD Assistant Director Jay Gibbons, DSD Director Sabrina Minshall, In Favor: Tanner Verhoeks, Joe Stewart, Robbie Reno, Rick Brown, Justin Ruthenbeck, Hethe Clark, Samantha Hammond, Todd Lowell, Julia Ruis, Emily Niel, Nathan Orchard, Kyle Belknap, Jena Cloy, Neutral: Terry Scanlan, In Opposition: Sue Marostica, Victor Marostica, Ted Zahradnicek, Tom Zahradnicek, Ronald Plummer, Jim Danes, Irene Chavolla, Doug Stittsworth, Cynthia Atnip, Polly Plummer, Linda Emry, Roxanne Geyer, Dewight Higel, Gary Geyer, Larry Peterson, Russ Johnson, Curtis Kessel, Mike Fast, Brad Smith, Kimberly Smith, and other interested citizens; and Deputy Clerk Monica Reeves. As part of Commissioner Holton’s opening statements, he informed the audience that Commissioner Zach Brooks felt he had too much conflict of interest to attend today’s hearing, although he didn’t give any specifics or allude to what that was he is a very fair man and Commissioner Holton said he will honor his decision not to attend. Neither Commissioner Van Beek nor Commissioner Holton had any conflicts of interest or declarations to make pertaining to this hearing.

DSD Principal Planner Michelle Barron gave the oral staff report. The request includes a development agreement to limit residential development to 29 lots with a public water system. On February of 2023, the P&Z Commission recommended denial of the application. On September 14, 2023, the Board remanded the case back to the P&Z Commission so they could consider the updated information. On November 2, 2023, the P&Z Commission heard the case again with updated information and evidence and they recommended denial of the application. The items the Commission had not seen or used in their decision included a new recommendation from the Kuna School District, an agreement to place a monitoring well that has been made between the applicant and Idaho Department of Water Resources (IDWR). A pumping test was conducted to gain information about the impact on groundwater from the development. The applicant has also firmed up irrigation and drainage issues, along with a landscaping plan that will be addressed at the time of platting. The developer also had a traffic threshold analysis completed. Principal Planner Barron reviewed the parcel and land division history. A preliminary plat for Haven Creek Subdivision was submitted concurrently with the conditional rezone application, but it has been

on hold until the conditional rezone conditions are decided upon. The future land use designation in the 2020 comprehensive plan is residential. The property is located within the Nampa impact area and has a future land use designation of low-density residential. The City of Nampa recommended denial because they would like to see smaller lots sizes with a maximum of 32,000 square feet. There was a review of the soil information, and it was noted there are 13 subdivisions in the area. The proposed plan aligns with three goals and six policies of the comprehensive plan. The City of Nampa has said connection to city water is not feasible at this time and current city sewer capacity would be insufficient to serve the development. There was a review of the concerns related to water and sewage disposal. Concerns from neighboring property owners include water quantity for the proposed use, additional traffic, smaller lot sizes and the loss of productive agriculture in the area. The applicant submitted possible conditions to add to a development agreement if the request is approved.

The following people testified in support of the request:

The applicant, Tanner Verhoeks of Haven Idaho, testified the property is located on Robinson Road, south of Lewis Lane and is very close to Kuna and is designated by both the County and the City of Nampa as low-density residential. There are 140 existing homes surrounding the subject property to the north, south, east, and west. The most common lot size is 0 to 1 acre; there are 27 small parcels in the staff report, the remainder are from 1 acre to 5 acres. The lots in the project are between 1 and 2 acres. Mr. Verhoeks said the project could propose R-R zoning, R-1 zoning, or urban density, but they are proposing somewhere between R-R and R-1 suited for the transitional character of the area. He reviewed the concept plan which includes a pressurized irrigation system with a storage pond along with a community well system. There will be meandering curved roads, and three protected cul-de-sacs which are meant to keep the rural character without lining up houses cookie cutter style. They invited neighbors to brainstorm the 6 areas of concern and they took the best ideas and included them in their plan. The single biggest concern was the potential impact to wells, so they adopted a community water system to have one shared system instead of 29 individual wells. It will be over 200 feet for a reliable arsenic-free water system, and they have started thinking how to invite neighbors to connect to the system if they are worried about their shallow wells. Residential use will use drastically less water than existing irrigation water rights let them use. The largest agricultural production nearby is Stewart Dairy, and they support the project as it creates a transitional buffer between city density and production agricultural areas. The developer has a signed agreement with Kuna School District that will allow students at Swan Falls High to design and construct a home at Haven Creek as part of their construction trades education program and they are giving one of their lots to the school and will donate time to help the students learn practical skills in the trades. Mr. Verhoeks reviewed images of what Community of the Country looks like, it will be an artistic inspiration with the rural rustic feel with extra setbacks with a landscape buffer and median planting at the entrance to the subdivision, and it consist of small acreage homes. Staff originally determined the project met all eight standards of the code, but the P&Z Commission made a different recommendation. The comprehensive plan directs residential development to property like this which is already surrounded by housing. It's appropriate and compatible with the area. The proposed water and septic approaches have been measured and shown to be compatible, and the traffic is compatible.

He spoke about the lot sizes in the area and said having a variety of housing options in a large area is healthy and will meet the housing needs. If we cannot build houses at a location that is consistent with the comprehensive plan, inside of an area of impact, consistent with the future land use maps, in an area of transition already surrounded by houses, supported by production agriculture, including community water with mitigations included for impacts, and with lot sizes larger than others in the vicinity, how we will build anywhere? Following his testimony, Mr. Verhoeks responded to questions from the Board. In regard to questions about the school district, Mr. Verhoeks said by donating a lot, having a house built, and the school district being allowed to sell that lot, they will surpass the district's voluntary mitigation fee of \$90,000 they request from developers. They are providing funds for capital improvements, but also of a large educational impact. Hethe Clark, the applicant's counsel, responded to questions regarding their communication with the Kuna School District and they have indicated they can serve the project's students.

Joe Stewart, who represents Stewart Dairy and farms in the property, believes the applicant has presented a thorough plan and said if it fits the comprehensive plan he does not oppose it. He said as a neighboring landowner, you want the rights of your property and the best value and opportunity. He said he opposed a different application due to a rights issue through access of property and because it was building a home of rehabilitation that was a risk to the neighborhood. Mr. Stewart said the valley is growing and homes are part of that growth.

Robbie Reno offered testimony on behalf of the Kuna School District regarding the overcrowding and failed bond issues the school district faces. The school board has asked him to meet with developers because they are coming and there has been no mitigation to help that. Idaho is one of two states that have zero impact fees and require a supermajority of bond passage. With current enrollment this development will feed into Crimson Point Elementary which is at 86% education capacity, and Kuna Middle School which is at 96% capacity, and eventually into Kuna High and Swan Falls High Schools which are at 103% capacity. He said this development team has asked how they can help and what mitigation measures they can take. The district is proud to partner with this developer because it will provide some mitigation and learning opportunities for the kids, and there is an opportunity where the revenues created will go into a capital improvement fund. Following his testimony, Mr. Reno responded to questions from the Board regarding the school district's capital needs.

Rick Brown is the construction trades teacher at Swan Falls High School, and he will be working on the partnership where students will work on the construction of a house, and he spoke of the benefits in terms of planning, budget, and being involved in the development project on the subject property. They are looking at having a builder and developer involved where the students can work a day or two on site and return to the classroom and study for the next phase. They will be involved in the processes, but not responsible for the processes taking place. Following his testimony, Mr. Brown responded to questions from the Board.

Justin Ruthenbeck testified about the hours the development team has spent speaking with neighbors, consultants, and other stakeholders discussing the issues in the community such as

shallow wells, grading, drainage, water quality, schools, and traffic. The project developers are motivated to help solve the problems and allow the neighbors to be part of the community water system. The project says yes to the school district and to production agriculture. The project says no to people who claim this farmland should be saved. Those who farmed it said they will only rent it at 60% of comparable market value because the yields are only 60% of what they can get elsewhere due to its shape, and water, and being bisected by the canal. The project says no to people who do not want houses next to their houses. There are 140 homes surrounding the property and the developers feel as long as what they are doing is consistent with the comprehensive plan and is consistent with transitional uses they should have the same right to use their property as those around them. Following his testimony, Mr. Ruthenbeck responded to questions from the Board.

Neutral testimony was offered as follows:

Terry Scanlan with HDR Engineering testified the developers asked him to do several studies, and their initial study said there will be very little impact on surrounding wells. It also showed the water levels and although they fluctuate, they are stable in this area and are not falling or rising year over year. The developers want a public drinking water system so they provided what that would entail; two redundant community wells to serve the property with minimum capacity of 72 gallons per minute, with a maximum of 112 gallons per minute by IDWR standards. They will design a system with 100 gallons per minute. The average demand for 29 homes is much less because homes do not use that much water, they will use approximately 10-acre feet per year compared to the amount of water used for 3 acres of irrigation. There is not much use and most of it returns to the aquifer through septic drain fields. Monitoring shows that water levels rise from spring to fall, this is a surface water irrigated area and is the dominant driving factor on ground water supply. They hit a low point in April and hit a peak in September. Domestic-type demands will not impact neighboring wells. Water samples show naturally occurring arsenic concentrations exceed drinking water standards so they will go deeper and find lower concentrations. Following his testimony, Mr. Scanlan responded to questions from the Board. The uses by development do not really drive down water levels, but what does drive down levels is the reduction of recharge and as this area develops over time you will see reduced recharge. As farms go away there will be less and less recharge, there is still the same amount of water available but how that water is managed and where it provides recharge is going to change and water levels will probably go down in areas like this. Historically, before the irrigation came in the water levels in this area were 100-150 feet lower than they are now and they came up responding to irrigation recharge and as that irrigation goes away over the next 100 years they will start to decline. There is a permit for an agricultural well authorizing irrigation of 40 acres at 360 gallons permit and it's supplemental to the to the Boise Project water that's delivered from the Nampa and Meridian Irrigation District. There is an existing domestic well that is around 105 feet deep. There was further discussion regarding well monitoring and well construction.

The following people testified in opposition to the request:

DeWight Higel said despite being denied the applicants keep coming back with different proposals and now they are now proposing to give a building lot to the school district which seems like a quid pro quo situation. Other concerns include traffic, lot size, groundwater levels, and who will be the controlling authority over the community well to make sure it is operated and maintained properly. He is also concerned about the impact 29 septic systems will have on the soil where in an area that already has a problem with nitrates.

Larry Peterson lives adjacent to the subject property and his concerns include impacts to water, traffic, schools, and congestion. He said the developer has indicated they have overcome the water issues and there will be no impact traffic and the schools are happy, and the neighbors are happy, but nothing could be further from the truth. The pump study was done in late spring or early summer when the recharge was at its highest, and they only pump the well enough for domestic use, but that is the best case scenario - they need to pump a worst case scenario which is late summer early fall when the irrigation has been turned off and when the large lots want to continue watering their landscaping and they will pump 30-40 times more water than for domestic use. There are another 85 wells in the area that are pumping hard as well and there is a bigger problem. Mr. Peterson said the developer's proposal to the school helps very few students and the offer doesn't come close to mitigating the impact of the additional students this subdivision could add. There are 90 neighbors who are opposed to the development. Lastly, the P&Z Commission unanimously rejected this twice and he wants the Board to deny it as well.

Russ Johnson testified he has lived near the subject property for 17 years and is the HOA President of his subdivision and he is representing 9 property owners today. The average lot size in his development ranges from 2.8 acres to 6 acres and he believes the proposed lot size of 1.2+ acres is too small, and he would like to see the lot size at 3 to 5 acres to maintain the rural character of the area.

Mike Fast testified about his concerns regarding impacts to water, schools, traffic, and EMS response times. There are a number of items on the comprehensive plan regarding having services available at the property already for water, sewer, and gas but that is miles away and it will be at great expense before services reach the area. He feels the proposed lot size should be larger.

Curtis Kessel is strongly opposed to the project and is concerned about impacts to water and the potential of 29 septic systems being placed in a small area. He said the developer has proposed the neighbors could connect to the community well but gave no provision for how to accomplish that.

Jim Danes testified that he spent 44 years in the fire protection industry working with fire departments and said they will have specific requirements the developer will have to comply with. He agrees with the opposition testimony that has been given in relation to water and contaminants and said even though he is opposed to the request, we need to look at possible solutions. He said there is a neighborhood between Robinson and McDermott, on the north side of Amity does not have septic tanks or sewer, but they have a system with several tanks next to each other and it's

self-contained and the homes are piped to that system, and it goes through a process of breaking everything down so that when it goes back into the ground it's clean water. It has been said the City of Nampa will someday take it over and so that is a possibility for the area.

Ron Plummer said it seems like all of the problems that have been brought up could be solved if you could pass funding for the schools, and if they could have the water and sewage set up ahead of time, but they have 29 septic tanks and that's scary for those who have shallow wells. Given the funding and staffing problems the school district faces he questions whether they will be able to find people to help build the house referred to in the partnership. He said the infrastructure should be in place before development is allowed.

Tom Zahradnicek testified about the impacts to irrigation that will affect his father's property and the concern with placing septic tanks on solid lava. He has been in communication with the Nampa Highway District about putting a roundabout on the corner of Robinson and Locust where he owns 20 acres, and he said he would be willing to sell it and take this farm ground in the trade because he does not need all the money the land is worth at this time, there is plenty of land to build on. If the developers are hurting for land they could present a plan to him and take some of their land in trade because he wouldn't mind giving some to his son or grandson, and 15 years year down the road when the land is ready for development then they can develop it but at this point it's not ready and it will hurt the neighbors and everybody around it by putting this kind of density on property that sits on a lava field.

Ted Zahradnicek, whose property borders the subject property, submitted a letter of concern and he wanted to make sure the Board read it because it outlines his concerns about water, environmental issues, and transportation issues. (The letter is identified as Exhibit 13G that was received on February 1st). The field next to his property grows beets, corn, and, alfalfa. Irrigation is provided by the Pioneer Irrigation District, and he is not aware of any test holes or perc tests being performed. The well on the subject property has gone dry in the past and he is concerned about placing 29 septic tanks on a lava field because they will run through his property and will create problems. Mr. Zahradnicek says the developer has been denied several times and he asked when does no mean no, and how many more times do the neighbors have to spend time testifying at hearings?

Sue Marostica testified that she sent an email requesting 10 minutes of testimony since she is representing a group. (*Staff did not indicate whether her email was received.*) With all of the comprehensive plans these are speculations and the property they want to build on is at the very edge of the impact areas so when the County puts together speculations they are making a best guess as to how things are going to develop and what's going to happen, but to bring in businesses or homes and plop them down in the middle of farmland when there are no services like water and sewer, and not allowing the schools to catch up, it doesn't seem fair to those who have to suffer the consequences. Another subdivision was approved behind her property about 15 years ago and those are 4-5 acre lots, but her well dropped and she had to lower it and they were fine for another 10 years, but 5 years before that both neighbors lost their wells and they had to go over 250 feet to reach water again. It goes up and down with the irrigation season, they are fine

in the summer, but in January and February they are at the lowest. She put together maps from IDWR and said KRON4 News did a national advertisement saying Idaho is one of the toxic states that is facing massive underground water issues. There are 60 aquifers in Idaho that are under groundwater watch and for 11% of them their decline has more than doubled in the last century. The Mountain Home area is critical, and Micron in Boise pumps 48 million gallons of water per day and so all of Boise and Garden City are in dire need. There is a spot between Boise and Meridian that used to be rural, and they allowed people to drop wells and septic, but no one can drill a well now because the water is contaminated. Up to within a half mile of her house are marked areas of concern where the withdrawals are causing or expected to cause serious problems. Almost all the neighbors are struggling with water and there is a water problem and a subdivision like this should not go in before city services are available. Commissioner Holton asked if the Board wanted to give her more time to speak, and Commissioner Van Beek asked if she has other nonrepetitive testimony she would like to share. Ms. Marostica said the only other testimony she had dealt with the schools, and she spoke to the Kuna City Council about it why are some developments approved and others are denied, and their response was when they write a letter to Kuna School District they do not get a response which means nobody cares and yet the school district cannot keep up with all the developments. Idaho is ranked 47th and it is dire, and the problem is not going to be fixed by bringing in more developments.

Brad Smith testified about his concerns with drinking water and contamination from 29 new septic tanks affecting those with shallow wells. The cost of drilling a new well can cost upwards of \$75,000 and he and the neighbors are concerned about that because they have had dry years where they've had to bring water in during droughts. Mr. Smith is concerned about the impacts to irrigation and access to/maintenance of his irrigation source as well as the health of his farm and the ability to keep feeding his animals and producing livestock.

Kimberly Smith testified that her concerns are about there being only one access into the subdivision, the safety of kids waiting at the bus stop, and the potential for noise that could be upsetting to farm animals. She has arsenic in her well and she filters it. Her well is 102 feet deep and was dug deeper by the previous owner because it went dry.

The Board took a break from 3:45 p.m. to 3:51 p.m.

Rebuttal testimony was offered by Hethe Clark:

Pressurized irrigation comes out of a canal, and there are two lines into a holding pond that charges over time which is what charges the irrigation system that avoids the fluctuation. The law requires them to maintain any historic conveyance of irrigation water to the neighboring properties, so they are not going to interfere with any of the neighbors. They've had some conversations with Mr. Smith about his connection point and there's been a willingness on the developer's part to look at whether they can bring it closer to him. The Kuna Fire District has reviewed the proposal and provided initial comments. The developer will do an enhanced septic system, and they will have a nutrient pathogen study that will be reviewed by SWDH and DEQ. Regarding the bus stop, they have started conversations with the school and will provide a turnout

that will allow for a waiting area. The subdivision at buildout will add 16 students. It's a small project with small impacts and that's why a traffic impact study has not been required but they have done the additional work to provide counts to prove up the lack of impact on area roadways. Regarding the water system, they will be much deeper and not in the same aquifer so if there's an impact on area wells it won't be because of their community water system. The pump testing was done as irrigation came on and the worst-case scenario comes in August/September and the monitoring shows that after April the water levels went up 15-20 inches so when you hit the worst-case scenario later on in the irrigation season there is already 15-20 inches above what's shown on the tests. A community water system triggers additional DEQ regulations, and they have to go through the technical financial managerial process and identify a qualified operator to operate the system. It adds a level of complexity but also provides an additional layer of safety for the residents. As a showing of good will they have offered to allow the neighbors to connect to the system which they see as a similar model to what the cities use. The developer believes the proposed density preserves agricultural ground and notes that the City of Nampa wants the lot sizes to be smaller. Mr. Clark said forcing the property to remain in agriculture would be inconsistent with the comprehensive plan which says the area is designated as residential. The character of the area is mixed; there are 140 residential lots within the area, and the future planning in the area is residential. The project is also compatible with the agricultural uses in the area. The character of the area already has significant residential use, and this project is going to be low-density when the City of Nampa gets there. The developer has mitigated the impact with the community water system, and they have gone above and beyond with the voluntary commitment that they've made to the Kuna Scholl District. The developer has provided proposed conditions of approval that could be attached to a development agreement. If approved, they will bring the preliminary plat for the Board's review. Commissioner Holton said there was testimony about the basalt lava flow in the area and septic tanks are not viable in his opinion. Mr. Clark said this is a matter that DEQ and Southwest District Health will weigh in heavily on including the siting of each septic tank.

Tanner Verhoeks said they have completed a geotechnical study, and they have advanced test pits 10-12 feet deep in a couple dozen areas across the sites and they know the soil conditions. They've had a predevelopment meeting with SWDH who has reviewed the geotechnical report and their plan, and Atlas has prepared a level one nutrient pathogen study that has been given to DEQ for review. SWDH will also see it. In the case where you find a lot and you advance a septic and hit lava there are a few solutions: mounted systems, or you can blast the rock to get your percolation rates, and there is advanced treatment. There are solutions that are heavily regulated and so they felt comfortable pursuing this project after doing their due diligence early on to know that septic systems will be regulated and safe. There has not been testimony about septic fields failing in this area.

Mr. Clark said there will be multiple layers of protection and SWDH is also a signing authority on the plat.

DSD Director Minshall said the Board could table the decision and request more information, or additional time to review the geotechnical report or get confirmation from SWDH. Those items could be a condition of approval prior to the preliminary plat, we would have to have more detail

which is when they work out the exact siting. If we say septic has to be in compliance with SWDH that would come up during the plat phase. The Board can also ask for an expert to provide additional information about the soil to locate septic tanks in this area.

Mr. Clark said as part of the conditional rezone they are signing a development agreement and it runs with the property and it's important to get the conditions right at the appropriate stage and the type of data Chairman Holton is looking for is probably the type that doesn't typically come along until the preliminary plat phase and that's why the issue he is pointing to would be handled with a condition of approval that says SWDH has to sign off on the septic systems.

Commissioner Holton said the request is for a higher density than anything immediately around it and he doesn't have the data to know if the area can support 29 septic tanks.

Samantha Hammond testified that at the preliminary plat stage they have to go through SWDH, and beyond that when it gets to the final plat they have to write subdivision engineering reports and go through multiple levels of checklists and reports, and they have to clarify that data.

Director Minshall said there is criteria in a conditional rezone, and you have to address the ability to have essential services and if you do not feel there is enough evidence or you have conflicting evidence from testimony the Board can ask for additional information. She agrees with the applicant that it typically comes up at the preliminary plat phase, but what she hears the Chairman saying is it is a concern because of that essential services criteria and if we don't have enough information at that point it's within the Board's purview to ask for more. If there is uncertainty it's her preference it be tabled so staff can work with the developer and see what type of additional information or type of experts we could get to make sure before the Board makes a finding of that certainty it's found at the right rezone process.

Commissioner Holton wants the information before he goes into discussion. Commissioner Van Beek said she's heard enough testimony that she thinks the Board will either come to a decision after hearing the comments or it's going to be a moot decision because there won't be agreement and there will be a de novo hearing at that point.

Mr. Clark said they have provided a lot of the information the Chairman is looking for and it sounds like they should spend some time with staff and make sure it's packaged in a way that easier to digest. They would like to have a complete list of the items the Board would hold the public hearing process open for so they can make sure all the questions are answered. It would be cleaner to have the hearing closed after, or have it held open only for the purpose of that one report and then have the deliberation but if there are specific items they would like to have that back and forth with the Board today so they have the complete list of things to come back with.

Commissioner Holton is okay with closing testimony and instructing staff to work with the applicant on getting the information about soil depth and the viability of the septic systems and make sure it's a viable facility of service that's available on the property. Upon the motion of

Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony.

Commissioner Holton made a motion to request DSD staff and engineering to work with the applicant to provide viable information about the viability of 29 septic systems on this property, and how far they will migrate to any of the other surface wells that are immediately adjacent.

Commissioner Van Beek said the Board has to make positive findings for all eight criteria and she has concerns about two of them. Having lots sized so people can manage them does save agricultural ground. The purpose of the R-1 zone is promote and enhance predominately single-family living areas in a low-density standard but she doesn't think the Board can make an argument that this is a low-density residential area because most of the lots in the area would classify as rural living. She likes Mr. Verhoeks plan because he presented examples of what he would build in the area but said the secondary dwelling units are problematic. She said Canyon County is facing a crisis with EMS including our ambulance district. The Canyon County Sheriff's Office manages all 604 square miles and for these areas that are farther out the response times are of concern and if this becomes a subdivision this is potentially the beginning of the domino effect that would change the nature and character of the area. She recognized the concern about water, well issues, and sending kids into a crowded school environment and she doesn't believe the \$100,000 donation is going to cover what is required for the school infrastructure. There is no validation that going deeper into another aquifer is going to be better or worse, it's a point that's an unknown variable. She agrees you can make a rural transitional area, but she would eliminate the secondary homes. The County does not have jurisdiction over CC&Rs. There was no testimony about a failproof water system that would ensure that if that system goes down everybody in the subdivision is affected. Commissioner Van Beek said this is better than a high-density development, but she cannot overcome the fact that we cannot meet all eight criteria. The Kuna School District clearly stated they are at capacity.

Mr. Clark said some of the items Commissioner Van Beek brought up are not items they had an opportunity to discuss so would those items be part of the additional information Chairman Holton is requesting. Following discussion Commissioner Van Beek said she would like input from Kuna Fire, the irrigation district, Canyon County Sheriff's Office and the Canyon County Ambulance District as to what their resources are. Deputy PA Wesley said we need to lay out what questions we want to ask regarding the septic and other essential services and have those narrowed down in the motion. We are going to instruct DSD to send out request letters to fire, police, ambulance about their response times and we'll have the applicant respond to the septic issue and we will allow testimony on those limited areas to the public.

Commissioner Holton made a motion to continue the hearing to a date uncertain to obtain engineering details on the viability of septic systems with the concern of basalt, lava, or other form of rock that is just under the surface, and to solicit information from fire, police, and ambulance on the viability of their response times to this location. We will reopen the public hearing for only those

topics. The motion was seconded by Commissioner Van Beek. Director Minshall said the Board also brought up other items related to schools and the surrounding area. Commissioner Holton amended the motion to include the viability of the applicant's impact on the school district and we would keep it broad. Commissioner Van Beek said she wants the secondary houses to be completely off the table, we should not allow a higher density. Commissioner Holton amended his motion to include further discussion about the development agreement. The amended motion was seconded by Commissioner Van Beek and carried unanimously. Deputy PA Wesley said at the next hearing we will hear testimony on the limited issues and allow public comment on those issues, and we will go through the process. The hearing will be re-noticed. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to adjourn to an unknown date certain that will be advertised and listed for a future date. The hearing concluded at 4:52 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER TWO PURCHASE ORDERS FOR THE EMERGENCY MANAGEMENT OFFICE,
AS APPROVED BY THE E-911 ADVISORY BOARD

The Board met today at 4:55 p.m. to consider two purchase orders for the Emergency Management Office as approved by the E-911 Advisory Board. Present were: Commissioners Brad Holton and Leslie Van Beek, Emergency Manager Christine Wendelsdorf, COO Greg Rast, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks arrived at 4:58 p.m. The purchase orders are as follows:

- Motorola Solutions for GIS software in the amount of \$9,681.89
- Bryx, Inc., for an alerting system for the Caldwell, Wilder, and Parma fire stations in the amount of \$201,000.00

Christine Wendelsdorf said on January 22, 2024, the E-911 advisory board approved two purchases, one was to update the GIS software for the Spillman system, and the second was for fire station alerting. In August/September they decommissioned the old microwave equipment off the radio towers and it disabled the fire station paging which is currently patched together with the backup system. They have worked with the fire departments and vetted a digital system that will put everyone on the same paging system. Canyon County will make the purchase for the first year with the \$2,500 recurring fee and the fire departments will be responsible for the \$2,500 fee the following years. There is fund balance in the E-911 fund to cover the cost. Commissioner Holton made a motion to authorize the purchase orders acknowledging that the Board does not know if it's in the current budget and if it is required towards the end of the year we will have to open the budget to move the dollar amount to spendable because it may or may not be in the spendable budget for this year. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 5:04 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 9, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Perennial Energy in the amount of \$8,646.48 for the Solid Waste department (PO #5911)

EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (1) (B) AND (D) REGARDING PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Holton made a motion to go into Executive Session at 1:32 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Judge Davis Vander Velde and Interim TCA Benita Miller. The Executive Session concluded at 1:39 p.m. with no decision being called for in open session.

Commissioner Leslie Van Beek joined the meeting at 1:44 p.m.

Following the executive session there was general discussion regarding the Magistrate Commission meeting that will be convened to decide the district public defender.

The meeting concluded at 1:45 p.m. and an audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 12, 2024

There were no meetings scheduled for today.

APPROVED NOVEMBER 2023 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of November 2023 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.

APPROVED DECEMBER 2023 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of December 2023 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.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 13, 2024

APPROVED CLAIMS

- The Board has approved claim 602864 TRAV in the amount of \$114.00

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- CDW-G in the amount of \$81,324.00 for the Fleet Department (PO #5949)

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas (left at 10:00 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Sheriff Kieran Donahue (left at 10:37 a.m.), Chief Deputy Sheriff Doug Hart, Lt. Brian Crowthorn (left at 9:53 a.m.), Lt. Chad Harrold (left at 9:53 a.m.), Lt. Martin Flores (left at 9:53 a.m.), Lt. Travis Engle (left at 9:53 a.m.), Cpt. Harold Patchett (left at 10:37 a.m.), Fleet Director Mark Tolman (left at 9:53 a.m.), Facilities Director Rick Britton (left at 10:37 a.m.), Norm Brown with Rallens Realty (left at 10:37 a.m.), Assessor Brian Stender (left at 9:58 a.m.), Chief Deputy Assessor Joe Cox (left at 9:58 a.m.), Robyn Sellers with City of Nampa (left at 9:58 a.m.), Beth Ineck with BVEP (left at 9:58 a.m.), John Krueger with Colliers (left at 9:58 a.m.), Kyle Mackey with CPS (left at 9:58 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Approving Award of Officer's Badge and Duty Weapon to Deputy Mary Hoagland: Cpt. Patchett said this is standard procedure for an officer retiring in good standing. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving award of officer's badge and duty weapon to Deputy Mary Hoagland (resolution no. 24-024).

Consider Idaho Transportation Department Office of Highway Safety FFY 2024 Traffic Enforcement Grant Project Agreement (TEGPA): Commissioner Van Beek noted that she has a number of questions regarding this agreement. Although she is in favor of this she noted the financial contact needs to be updated and wanted to confirm that Deputy Jay Warren still manages the grant. CCSO is able to apply for funds based of deputy overtime hours for working focused campaigns such as DUI enforcement, reckless driving, impaired driving, etc. Commissioner Van Beek made a motion to continue this action item to Thursday, February 15th at 9:30. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider Subscription Services Agreement with Leads Online: Lt. Flores explained this service has been used by the Sheriff's Office for approximately 15 years as an investigative tool. This agreement renewal locks in the pricing structure for the 3-year term. Legal has no issue with the contract and IT has no issues with the software. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with Leads Online (agreement no. 24-014).

Consider RE-13 Seller's Counter Offer relating to purchase of 1212 Albany St., Caldwell, Idaho: Mr. Ericson explained the original purchase agreement failed to include the legal description and the selling agent thought this was the best way to correct that.

Consider Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards form relating to purchase of 1212 Albany St., Caldwell, Idaho: This is a standard form when selling properties.

Consider RE-25 Seller's Property Condition Disclosure Form relating to purchase of 1212 Albany St., Caldwell, Idaho: This form discloses the condition of the property.

Mr. Ericson reviewed with the Board the places on each document that needed signatures and where initials of each Board member needed to be placed. Commissioner Holton made a motion to authorize signatures and initial pages for RE-13 seller's counter offer, disclosure of information on lead-based paint and/or lead-based paint hazards and RE-25 seller's property condition disclosure form relating to purchase of 1212 Albany St., Caldwell, Idaho. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider a Resolution Consenting to the Sale of Surplus County Property: Director Tolman said Adams County has reached out and are in need of some vehicles. He has valued them thru JD Power and Adams County has accepted the price. He feels that selling them at auction wouldn't be any more financially beneficial.

Consider Notice of Online Public Auction: This will allow 21 surplus vehicles that are beyond their usefulness be sent to auction.

Commissioner Van Beek made a motion to sign the resolution consenting to the sale of surplus county property. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-027).

Commissioner Brooks made a motion to approve the notice of online public auction. The motion was seconded by Commissioner Van Beek and carried unanimously.

Mr. Rast noted that any monies coming back from the sale of surplus property will go back into the appropriate revenue line.

Public Meeting to Consider Resolution Granting Critical Process Systems Group, Inc. a Property Tax Exemption Pursuant to Idaho Code 63-602NN and to consider the action Item of a Resolution Granting Critical Process Systems Group, Inc. a Property Tax Exemption Pursuant to Idaho Code 63-602NN: Legal has reviewed this exemption and it the meets all criteria for an exemption to be granted. Mr. Cox noted that there are existing buildings in place valued at approximately \$76M which will not qualify for the exemption. However, the exemption will include any of the tenant improvements to the currently vacant buildings and to equipment. Commissioner Van Beek made a motion to sign the resolution granting a tax exemption for Critical Process Systems Group, Inc. pursuant to Idaho Code 63-602NN. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-026).

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 10:00 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. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Cpt. Harold Patchett, Facilities Director Rick Britton, Norm Brown with Rallens Realty and COO Greg Rast. Sheriff Donahue, Chief Hart, Director Britton and Mr. Brown left the executive session at 10:37 a.m. The Executive Session concluded at 10:41 a.m. with no decision being called for in open session.

Commissioner Holton made a motion to continue the executive session to 3:45 p.m. today. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:42 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross. Ms. George presented the following cases for Board consideration:

Case no. 2024-12: This case meets the eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the case.

Case no. 2024-11: Following the investigation by Indigent Services, Ms. George feels this case may be appropriate for public administration as there appears to be a home and several vehicles. Commissioner Van Beek made a motion to deny the case as the county is not the payer of last resort and there are options for probate. Commissioner Brooks seconded the motion which carried unanimously.

The meeting concluded at 10:48 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION TO APPROVE TWO POSITIONS THAT WERE INCLUDED IN THE FY24 BUDGET FOR THE ELECTION'S OFFICE

The Board met today at 10:52 a.m. to consider a resolution approving two positions in the Election's office. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Elections Office Manager Haley Hicks, HR Director Kate Rice, HR Business Partner Kendra Elgin, COO Greg Rast and Deputy Clerk Jenen Ross.

Clerk Hogaboam spoke about how these positions, an Elections Specialist position and a GIS Analyst position, were approved in the FY24 budget and he is looking forward to getting them posted and filled. Commissioner Van Beek made a motion to sign the resolution for an Elections Specialist and a GIS Analyst for the Canyon County Clerk's Office, PCNs 577 and 578. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-025).

The meeting concluded at 10:56 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER AN APPEAL BY ATLAS TOWER 1, LLC OF A CONDITIONAL USE PERMIT, CASE NO. CU2023-0005-APL

The Board met today at 1:34 p.m. to conduct a public hearing in the matter of the appeal by Atlas Tower 1, LLC, of the decision by the Planning and Zoning Commission's denial of a conditional use permit to construct a telecommunication facility including a 100' monopole, Case No. CU2023-0005-APL. Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy PA Zach Wesley, DSD Principal Planner Dan Lister, Planning Supervisor Carl Anderson, In Favor: Michael Powers, In Opposition: James Thompson, Joseph Stone, Bonnie Mull, Lennie Mull, Victor Satskiy, Maryon Slovik, Dana Nickens, Joshua Shimanovsky, Patty Mathis, Kendra Rogers, Ken Kikta, Pat Kikta, Linda Thompson, Neutral: Robert Sturgill, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks was not present for today's hearing as he was testifying before the Idaho State Legislature. Neither Commissioner Holton or Commissioner Van Beek had any disclosures or declarations to make.

Principal Planner Dan Lister gave the oral staff report. Atlas Tower 1, LLC, has filed an appeal for a conditional use permit to construct a telecommunication facility which includes a 100' monopole, which will be *designed* as an Evergreen Pine Tree within a boundary of 2500 square area, with access off Lone Star Road in Nampa. This is 70-acre property created as an agriculture-only property, per the Canyon County Code. The P&Z Commission was unable to make findings for Criteria 4: Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area? They found the placement of the facility would negatively impact the surrounding area as well as property values. Options for approval would be to propose different site locations that do not directly impact the value or other surrounding impacts to the neighborhood. The property abuts City of Nampa jurisdiction, and it's in a very dense residential area with 115 platted subdivisions within a one-mile radius. The property is prime farm ground if irrigated. The Canyon County Comprehensive Plan shows the property to be agriculture, but the City of Nampa's comprehensive plan shows it to be a medium-density residential and residential mixed-use area. On October 20, 2023, the applicant appealed the P&Z Commission's decision with the following reasons: The use of injurious impacts to the properties. Interpretation of injurious was not found and so therefore the decision was not based off reliable facts, evidence, or reports. They also found the testimony was based on RF propagation and human health. They also found the decision was arbitrary and capricious in that there are similar facilities approved within the area that are recent decisions that are very similar with the same amount of information provided for that decision, and found the denial denies coverage which is a violation of the Telecommunication Act of 1996. Mr. Lister said we do not have a definition for the word injurious, but the Commission has the power to determine those findings to determine if it will be injurious. A lot of the opposition deals with the proximity to existing residences, and with the monopole being an evergreen tree which would stand out because there aren't any evergreen trees around that area. A lot of the testimony about property value came from Mr. Stone's property where it was demonstrated it is an investment property and they were going to develop the property until this application came to light which impacted his ability to do the development he wanted. There was further testimony about decreasing property values. Mr. Lister said the denial was not based off RF propagation and human health. The P&Z Commission let the audience know that they cannot make decisions on RF emissions and human health because it's against the telecommunications act. The minutes are very clear that

the decision was not made off the RF emissions or human health. He reviewed similar cases where the Board upheld the P&Z Commissioner's denials. Staff found that the Telecommunications Act of 1966 allows local government to regulate the placement, construction, and modifications to wireless facilities. The P&Z Commission found that the placement was injurious. He reviewed the case law for providing site alternatives and coverage gaps and said in this case the applicant did not provide that. The P&Z Commission asked the applicant to provide more alternatives than just the location that's listed in their lease agreement, and it's such a large parcel it can be in multiple locations. The request can be denied based on not having information about where this facility is going to be located. There was a review of the letters of opposition which addressed concerns regarding impacts to property values, health risks, viewshed, tower design and proximity to existing residences. Agencies submitted standard conditions they would want to apply to the tower if approved.

The following people testified in support of the request:

Michael Powers testified he is representing the applicant, Atlas Tower 1, LLC, by partnership with AT&T as the first co-locator expected on the project based on contractual agreements with that company. He provided an overview of how they chose this location. When Atlas works with a mobile network operator they get a search ring, a circle on map and that is the location where if equipment can be installed within that circle they will be able to accurately fix or augment their network in a way decided by engineering. They had very few options in this area as most parcels are not agricultural, commercial or industrial, they are residential. All residential lots were removed. Another issue was willing landowners which further reduced their options. For the search ring they worked on for AT&T there was only one option, and it is a large agricultural parcel which the code allows to be potentially approved for this use. It was not a blanket permission to put the equipment anywhere though, the landowner wants to continue to use and retain the agricultural use and the idea was to minimize the impact by putting it in the selected area. There are canals and other obstructions that made this parcel difficult to work with and they worked with staff to bring the best location to the table. They did not bring alternative locations because they were told if it couldn't go within this area they would not move forward. Atlas Tower's application was heavily vetted with staff and there were many requests and they worked for six months before going to hearing. They tried to bring compliance to the code and to the extent that this is a special use permit, and they are guessing what would be agreeable and what would not, they made some subjective decisions and presented it to the hearing body. They went through every division of government - fire, safety, water, electrical, and they had approval from all of the departments on the proposed hearing criteria. Mr. Powers spoke of the criteria that is used and said it comes down to whether the project is injurious or will change essential character of the land in the area. The definition of injurious has not been formally adopted within the code, but in the plain meaning of the word injurious is whether the health, welfare, and safety is not compromised. We have the word injurious stretched to consider some things that are not guaranteed by the County; for instance, this agricultural land is probably going to turn into mid-density housing and when that proposal comes through he suspects the word injurious is not going to be used to stop the project. It seems like this project is being called out for a new definition of injurious. There is no guarantee in the code or state law for having a neighboring use in a different

zoning district would not change the value of the property, good or bad. That is not proper criteria when deciding whether to approve or not approve the project. Additionally, there was a lot of conversation about human health safety and the acknowledgment that the things like whether this technology is safe for people should not be considered in the decision, but he believes the way the word injurious was used in terms of denying the request and combined with most of the testimony using the same definition of injurious as injurious to their health. Most of the comments were geared toward the kind of testimony that should not be considered and it is not in the purview of this body to look at that. The decision was influenced by that testimony. AT&T worked with Atlas' staff for many months because they have a specific network issue in this area, and they gave a search ring that crunched them into this one parcel. There was a need and a desire to spend over a million dollars once the project is done to fix that. They were not able to deliver to AT&T an alternative. They could not bring three options, they had one. A pine tree was an option and they could place other real trees around it to augment it.

The following people testified in opposition to the request:

James Thompson testified about the environmental dangers associated with placing a cell tower at this site. The applicants have said they will have 2-3 tanks of gasoline and a 1-gallon spill can contaminate over 1 million gallons of water. Lake Lowell is nearby and there are canals in the area and if there is a spill it could contaminate the area's aquifers and residential wells. A limited liability company means they will not have to pay for a lot of the damages, so that means the cities of Nampa or Caldwell will have to pick up the damages for the contaminated water impacts.

Joseph Stone testified that while a cell tower may be needed to provide better service for the area the proposed location has the largest negative impact to his lot and will cause a drop in overall value for the property and the direct neighbors to the west. The parcel is large with few homes located next to most of its borders. Studies show that cell towers have a negative effect on values between 650-1,000 feet of the property and both his and the neighbors' properties fall within that radius. His estimated value of impact is in the \$184,000 range. The developer should be asked to find a new location with a lower impact to neighboring properties. The current location was chose to ensure the impact was lowest to the developer and the parcel owner, but it shifts the financial loss to the neighbors.

Bonnie Mull testified that the monopole will be directly behind her backyard, and she urged the Board to follow the P&Z Commission's decision and deny the request due to the negative impact it would have on the surrounding property values. There are three towers to the northwest of the proposed site, but they are on the hill and away from the residential area. It is not a good fit to place the facility close to homes and it would be injurious in terms of value and beauty.

Maryon Slovik testified that while he understands the benefits for a tower in the community, he believes there are significant concerns that need to be addressed such as the impact to the property values and the resale value of homes in the surrounding neighborhoods. It appears the landowner and AT&T will benefit while the neighbors will lose. He has a certified family home and believes if there is a tower behind his house it will affect people bringing their loved ones to his

home thereby harming his business due the potential risk to immunocompromised senior citizens in his care.

Dana Nickens agrees with the opposition testimony. He received a flyer stating the facility will provide a co-location leasing of space to other service providers, but finds that concerning because he doesn't know what the other service providers are. The maps do not show there's a school kiddy corner to the proposed tower location, which has quite a bit of traffic and so if there are other service providers it will increase the traffic such that it will create more risk in a high traffic area. There is an unknown about what is going to happen if other service providers are co-leased to the property as well.

Joshua Shimanovsky testified about the following concerns: potential fire risk at the tower and maintenance issues at the site, an unsightly monopole will stand out in the area, and negative impacts to property values. He stated the neighbors are not aware of any cell coverage issues in the area.

Kendra Rogers testified she would not have purchased her home had she known a cell tower would be so close because it's an eyesore and will negatively affect her property values. She also believes cell towers are detrimental and damaging due to the health dangers they pose.

Rebuttal testimony was offered by Michael Powers. Regarding concerns of gas spills and pollution, the National Environmental Policy Act study was completed on the site, and they have very rigorous accounting for any sort of potentially responsible pollution. All the permits for backup generators will be submitted and managed by the carrier and so if they chose to put that type of infrastructure on the site they would maintain it. Typically, the generators are a hybrid system with a small generator with a battery bank inside the compound and away from the elements. It is possible to not use liquid gas if natural gas is available. Furthermore, if the County decided they did not want to have liquid gas on telecom sites they could regulate it in that manner and that would shorten the time in which these could operate in an emergency. The amount of gas for these generators is probably comparable to what the average farmer has in their buildings, it's not a new issue, but it's an issue they take seriously, and they follow the regulations. Generally, all sites have a plastic bathtub underneath the generator to catch any spills. Regarding economic impact concerns, the use of injurious and the way it was interpreted for the original hearing denial was improper. There are antennas all over the place and residential locations are high on the list of where consumers want their phone to work. Regarding co-locating, Mr. Powers said all of the sites are designed to house additional equipment, so you don't need to build a new tower if another carrier wants their network to also broadcast from that location. Using one structure to support the development and efficacy of more than one company's network is a good thing. It would not change the tower; it would add equipment hidden in the branches and there would be some equipment on the ground that you probably wouldn't see because it would have a 6-foot fence. It's more likely a lack of cell coverage in the event of an emergency is more likely to create a benefit if there is a functional connection to the network for phone calls in that area. Maintenance of the site is a shared obligation between the tower owner and the carrier and in the last 10 years the major companies have become sophisticated about how they manage

maintenance. Mr. Powers said Atlas worked diligently with Joseph Stone because he was interested in having a tower on his site but they moved away from his parcel because it was residential and they knew there was no chance they would get approval and from the point where they stopped working with Mr. Stone because his parcel didn't have the right zoning he became adverse to the project. Commissioner Holton had follow-up questions for Mr. Powers regarding maintenance of the tower/site.

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

Commissioner Van Beek referred to other cases where they had a secondary site analysis and gap coverage analysis, and a NEPA report and that was a glaring omission in this staff report. The Board cannot predicate a decision based on health effects; however, the perception is that fear sometimes drives decisions in a community and if a property owner is unable to sell - whether their perception is real or perceived – it does affect the value of the property. There is a notice indemnifying Atlas from the cell tower being located in that proximity but it does not provide any protection for the residents that might be injured. There is a wedding venue in the area that owner may argue the tower is problematic in terms of what they offer their clientele. She is in favor of upholding the P&Z Commission's denial and denying the appeal. Commissioner Holon said the applicant did not make any convincing testimony that the P&Z Commission had based partly their decision on the RF energy and the health issues, and both DSD staff and the Commission Chairman made it clear they could not consider that. He does not see the decision was arbitrary and capricious. He asked for engineering details of the current coverage and how the tower would augment it but that is missing. He cannot support overturning the P&Z Commission's decision and he concurs with their findings of fact and conclusions of law. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to deny the appeal and uphold the P&Z Commission's decision in Case No. CU2023-0005-APL as presented. Chairman Holton recommended the applicant consider re-siting the tower somewhere else. Commissioner Van Beek added that the absence of information was not favorable for the application. There are maps on coverage and those metrics are available, they just weren't available in this decision. Staff will prepare the FCO's and bring them to the Board at a later date. The hearing concluded at 2:52 p.m. An audio recording is on file in the Commissioners' Office.

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

**Note - The Executive Session was continued from this morning.*

Commissioner Van Beek made a motion to go into Executive Session at 3:48 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton. A roll call vote was taken on the motion with Commissioners Holton and Van Beek voting in favor of the motion to enter into Executive Session. The motion

carried unanimously. Present were: Commissioners Brad Holton and Leslie Van Beek, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, and Deputy PA Zach Wesley. Commissioner Zach Brooks arrived at 3:57 p.m. The Executive Session concluded at 4:35 p.m. with no decision being called for in open session.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 14, 2024

There were no meetings scheduled for today.

APPROVED CLAIMS

- The Board has approved claims 602865 to 602867 in the amount of \$1,248.00
- The Board has approved claims 602868 to 602903 in the amount of \$76,871.30
- The Board has approved claim 602904 ADV in the amount of \$18,584.30

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Marv's Insulation in the amount of \$7590.00 for the Facilities Department (PO #5928)
- Absolute Software, Inc. in the amount of \$10,146.80 for the E911 Advisory Board (PO #5892)
- Kirk Auto Co. in the amount of \$45,188.00 for the Fleet department (PO #5951)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Andrew Souza, Deputy Sheriff, lateral new hire
- Caroline Kelso, Deputy Sheriff, new hire
- Doug Woods, Deputy Sheriff, new hire
- Dolan Adams, Deputy Sheriff, received intermediate POST Certificate

APPROVED CLAIMS

- The Board has approved claim 602906 ADV in the amount of \$236,788.00

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas (left at 9:51 a.m.), Deputy P.A. Alex Klempel (left at 9:45 a.m.), Facilities Director Rick Britton (left at 9:41 a.m.), Clerk Rick Hogaboam (left at 9:57 a.m.), Elections Office Manager Haley Hicks (left at 9:51 a.m.), Elections Specialist Robin Sneegas (left at 9:51 a.m.), Fair Director Diana Sinner (left at 9:37 a.m.), Lt. Brian Crawford (left at 9:45 a.m.) and Deputy Clerk Jenen Ross.

Consider Addendum for Canyon County Laundry Equipment & Installation Project: The addendum acknowledges that no questions or comments have been received. The next step in the process is to receive bids which is scheduled to happen on February 20th. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the addendum for Canyon County Laundry Equipment & Installation project.

Consider Declaration and Notice of Sole Source Procurement for New Customized Swine Pen Equipment: Director Britton explained they have chosen to proceed with sole source procurement to ensure the new equipment matches the current show ring and will be compatible. Director Sinner spoke more about how the equipment works and how the flexibility will be very beneficial. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the declaration and notice of sole source procurement for New Customized Swine Pen Equipment.

Consider Invitation for Bids for the Elevator Modernization Project; and Consider Legal Notice Inviting Bids for the Elevator Modernization Project: Director Britton said the current elevators are from 1974 and are starting to fail. Along with the elevators being brought up-to-date it will also bring them up to state code. The modernization will not be proprietary in an effort to make maintenance and repairs easier. There are 12 elevators throughout the campus that will need updated. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice inviting bids for the Elevator Modernization project and to consider the Invitation for Bids document for the Elevator Modernization project.

Consider Idaho Transportation Department Office of Highway Safety FFY 2024 Traffic Enforcement Grant Project Agreement (TEGPA): Ms. Klempel addressed questions previously posed by

Commissioner Van Beek regarding the financial signature line and the section regarding drug-free workplace compliance. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Idaho Transportation Department Office of Highway Safety FFY2024 Traffic Enforcement Grant Project Agreement (TEGPA). See agreement no. 24-016).

Consider Caldwell Elks Lodge Room Rental Agreement: Ms. Hicks has done a site visit and feels the location is adequate. The agreement may still need signatures from an Elks Lodge representative, with transitions happening within the Clerk's division they are still working to locate a copy that may already be signed, however there are no changes to the terms of the contract. Clerk Hogaboam spoke about how there is potential of a 3rd early voting location; \$5000 was allocated for early voting and with approximately \$5800 already expended but they are confident there are other savings in the 'B' budget and overall this will be cost neutral. Mr. Ericson noted that within the contract, section 17, there is no need for initials as the County will provide a certificate of insurance. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Caldwell Elks Lodge Room Rental agreement (agreement no. 24-017).

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 9:52 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 and Chief Deputy P.A. Carl Ericson. Clerk Rick Hogaboam participated from 9:52 a.m. to 9:57 a.m. The Executive Session concluded at 10:32 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.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:33 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Office Manager Jennifer Almeida and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution issuing a refund to LinkUs Energy for an unnecessary building permit, BP2024-0057: No in-house work was done for this permit; however, an inspection was requested and an

inspector did go out to the site prior to know the customer had cancelled the job. In order to recoup the cost of the inspector visiting the site DSD felt \$50 was sufficient and per the adopted fee scheduled 80% of the building permit fee can be refunded. DSD is recommending a refund in the amount of \$454.00. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution issuing a refund to LinkUS Energy for an unnecessary building permit, BP2024-0057 (resolution no. 24-028).

Consider a resolution issuing a refund to Jake McCracken for a withdrawn road name change application, RD2024-0002: This case was assigned to a planner but only a small amount of time was spent on the project. The applicant decided to withdraw the application as they were not able to get everyone in agreement on the road name change. Approximately 15% of the fees were used and DSD is recommending a refund \$467.50. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution issuing a refund to Jake McCracken for a withdrawn road name change application, RD2024-0002 (resolution no. 24-029).

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

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 16, 2024

COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Jeff Foreman.

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for O'Michael's Pub & Grill to be used 3/1/24.

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 9:30 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation (Yanecko vs. Canyon County, Case No. CV14-23-03269). 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. The Executive Session was held in the Prosecutor's Office conference room which is located on the third floor of the Canyon County Courthouse. Present were: Commissioners Brad Holton, Zach

Brooks and Leslie Van Beek, Deputy PA Zach Wesley, Deputy PA Alex Klempel, and DSD Director Sabrina Minshall. The Executive Session concluded at 10:22 a.m. with no decision being called for in open session.

MEETING TO CONSIDER RE-50 DELAYED RENTAL AGREEMENT FOR 1212 ALBANY STREET

The Board met today at 10:29 a.m. to consider RE-50 Delayed Rental Agreement for 1212 Albany Street. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson and Deputy Clerk Jenen Ross. Mr. Ericson said this is the final document relating to the purchase of 1212 Albany St. This home is owner occupied and they will be allowed to stay until May 31, 2024 for a cost of \$3.00. In regard to insurance, the county will not be insuring the property against fire, that has been struck-through in paragraph 5 and Mr. Ericson asked for the Board to initial. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the RE-50 Delayed Rental Agreement for 1212 Albany Street (agreement no. 24-018). The meeting concluded at 10:33 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSES FOR OVATIONS FOOD SERVICES, LP DBA OVG HOSPITALITY

The Board met today at 11:31 a.m. to consider a resolution approving alcoholic beverage licenses for Ovations Food Services, LP dba OVG Hospitality. Present were: Commissioners Leslie Van Beek and Zach Brooks and Deputy Clerk Jenen Ross. There are two separate licenses as there are two locations – the Nampa Civic Center and the Ford Idaho Center. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving alcoholic beverage licenses for Ovations Food Services, LP dba OVG Hospitality. Commissioner Van Beek made a motion to adjourn. The meeting concluded at 11:32 a.m. and an audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 20, 2024

APPROVED CLAIMS

- The Board has approved claims 602943 to 602963 in the amount of \$13,773.00
- The Board has approved claims 602964 to 602986 in the amount of \$18,416.53
- The Board has approved claims 603114 to 603161 in the amount of \$37,918.07
- The Board has approved claim 603162 ADV in the amount of \$28,691.58

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel (joined at 10:05 a.m.), HR Director Kate Rice, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, DSD Director Sabrina Minshall, Engineering Coordinator Stephanie Hailey (left at 9:36 a.m.), Chief Deputy Sheriff Doug Hart (left at 10:05 a.m.), Cpt. Ray Talbot (left at 10:05 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

The action items were considered as follows:

Open Bids for Canyon County Laundry Equipment & Installation Project: No bids were received for this project. Director Britton will work with legal on the next steps forward; Mr. Wesley suggested the next step may be to go to open market.

Consider Avolve ProjectDox ePlan Renewal Agreement: The cost of the annual renewal is \$41,400. The building side of this program, which allows building plans to be uploaded thru the website, is up and running and the planning portion is still being worked on. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Avolve ProjectDox ePlan Renewal Agreement (agreement no. 24-019).

Information has been recently received regarding the new CCSO building indicating that instead of the estimated \$24M needed to build the facility it is now estimated at \$36M. Chief Hart feels there is a solution but input is needed from the Board. At approximately 9:40 a.m. the Board started to review of the blueprints and at 9:43 a.m. chose to go off the record to review them administratively stating that any decisions needed would be agendaized for Board consideration. The Board went back on the record at 10:04 a.m. Commissioner Holton stated that there were no decisions and the Board is requesting the builder to review numbers and to come back with additional information.

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

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 10:05 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel and COO Greg Rast. HR Director Kate Rice, Facilities Director Rick Britton and Assistant Director for Facilities Carl Dille participated from 10:05 a.m. to 10:20 a.m. Deputy P.A. Zach Wesley and DSD Director Sabrina Minshall participated from 10:20 a.m. to 10:46 a.m. The Executive Session concluded at 10:46 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.

MEETING TO CONSIDER CERTIFICATES OF NONCOMPLIANCE AND RELEASES OF CERTIFICATES OF NONCOMPLIANCE FOR PUBLIC NUISANCE, ZONING, AND/OR BUILDING VIOLATIONS

The Board met today at 10:47 a.m. to consider certificates of non-compliance and releases of certificates of non-compliance for public nuisance, zoning and and/or building violations. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur, DSD Director Sabrina Minshall, Sr. Administrative Specialist Pam Dilbeck, COO Greg Rast (left at 11:01 a.m.) and Deputy Clerk Jenen Ross.

Mr. Arthur provided a review and information about each of the properties

Releases of certificates of non-compliance:

- 22504 Eel Lane, Middleton, Parcel No. R25378010
- 0 Notus Road, Caldwell, Parcel No. R36103012

Commissioner Van Beek made a motion to release the certificates of non-compliance. The motion was seconded by Commissioner Brooks and carried unanimously.

Certificates of non-compliance:

- 6472 Cherry Lane, Nampa, Parcel No. R30746 – violation of the zoning ordinance
- 5971 3rd Avenue, Nampa, Parcel No. R17038 – public nuisance violation
- 17465 Lewis Lane, Caldwell, Parcel No. R30024012 – zoning and building violations

Commissioner Van Beek made a motion to issue certificates of non-compliance on the parcels as reviewed. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 11:03 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION APPROVING THE SALARY CHANGE AND JOB DESCRIPTION UPDATE TO THE CONTROLLER POSITION IN THE AUDITING OFFICE

The Board met today at 2:30 p.m. to consider a resolution approving the salary change and job description update to the Controller position in the Auditing Office. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, Clerk Rick Hogaboam, HR Director Kate Rice, HR Comp/Benefits Manager Bosco Baldwin, Sr. Systems Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. Clerk Hogaboam said although the Controller position had a funded amount but was not technically graded so HR recommended assigning a grade to it with an appropriate salary range. The approved amount for the Controller PCN is lower than what HR is recommending it come up to, however, the Chief Deputy/Controller position was a grade higher. He said Mr. Wagoner had been compensated at an amount that's reflected in the funding project cost so his

hope is to be budget neutral between this hire and the eventual hire of a Chief Deputy with whatever the offsetting amounts are between the two positions. Commissioner Holton noted the position has existed for several years and was never filled which is why there was no classification. Director Rice said it has been vacant and funded since 2018. Commissioner Van Beek said she understands the Clerk to say the Controller/Accountant, whoever is put in for that financial analyst position, is really the key position he is focusing on right now. Clerk Hogaboam said that is the key position and most important to his office and the County is to have a competent Controller who preferably has some governmental accounting experience. The Chief Deputy position would then be the unfilled position. He will net out what the difference is to know what the remaining budgetary capacity is to hire that position, but hiring a Chief Deputy is a lower priority right now. He plans to staff the Elections Office and hire a Controller and find out what the best value would be in a Chief Deputy. Commissioner Van Beek said from discussions the Board has had with Clerk Hogaboam leading up to this point, it's her understanding the Chief Deputy potentially would help with oversight for elections and not the budgeting process and that is critical in her mind because we need that level of expertise and financial accounting in the Controller position to help with the budgeting process and assess long-term strategic needs financially for the County. She is happy to see the Clerk is borrowing from the Chief Deputy position which she said was the highest paid position in the State of Idaho. Commissioner Holton said it wasn't the highest paid position in the state, it was the title. In response to a question from Commissioner Van Beek, Clerk Hogaboam said his memo reflects the currently funded capacity for the Chief Deputy position and what's not being considered is the re-grading of that right now. The range that HR recommends for the Controller position would be higher than what it was funded at, but there will be a vacancy in the Chief Deputy position and his intent is to not hire at that amount. It will probably come down by an amount equal to where it nets out the difference. The PCN was \$85,000 for the Controller and \$138,000 for the Chief Deputy and when you combine those together that's the budget capacity he is trying to operate under. He will hire the Controller and see what's left over. There could be an emphasis on the Chief Deputy to focus on elections, they could maybe be more of an administrative generalist, they might have a little involvement with the budgeting process or it could be more the Clerk and Controller. There is another position in the Elections Office which was recently vacated and part of the reorganization is to figure out how that existing budget capacity for one the positions can be reallocated. It's possible they will post another position to backfill what's already budgeted in the Elections Office for the third position but he's still trying to figure out how to structure the Elections Office. Commissioner Holton said the important point is the Clerk is not exceeding his "A" budget and he will operate the rest of the year within the "A" budget regardless of what he is going to do. He is not creating a new and higher expense than what was budgeted for. Commissioner Van Beek said the Clerk can back up the information with a wealth of information from his experience in government as the chief of staff for Nampa. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve resolution for the salary change and job description update to the Controller position in the Auditing Office as presented by the Clerk and HR. The position will be posted today. (Resolution No. 24-031.) The meeting concluded at 2:40 p.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 3:38 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, Leslie Van Beek and Zach Brooks, COO Greg Rast, Steve Kraft and Craig Stacey. The Executive Session concluded at 4:31 p.m. with no decision being called for in open session.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 21, 2024

There were no meetings scheduled for today.

APPROVED FEBRUARY 23, 2024 PAYROLL

- The Board approved the February 23, 2024 payroll in the amount of \$2,299,966.38

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- SHI in the amount of \$5,100.31 for the Information Technology Department (PO #5976)
- Alliance Laundry Equipment in the amount of \$174,205.00 for the Facilities Department (PO #5929)
- LN Curtis (Curtis Blue Line) in the amount of \$12,936.00 for the Sheriff's Office (PO #5834)

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 22, 2024

APPROVED CLAIMS

- The Board has approved claims 603209 to 603253 in the amount of \$27,727.23
- The Board has approved claims 603254 to 603298 in the amount of \$170,046.36
- The Board has approved claims 602907 to 602942 in the amount of \$17,953.16
- The Board has approved claims 602987 to 603028 in the amount of \$105,601.14
- The Board has approved claims 603299 to 603346 in the amount of \$269,759.37
- The Board has approved claims 603163 to 603208 in the amount of \$48,007.51

CONSIDER RESOLUTION AUTHORIZING TRANSFER OF EXCESS SALE PROCEEDS TO PARTIES IN INTEREST AND STATE TREASURER

The Board met today at 9:02 a.m. to consider a resolution authorizing the transfer of excess sale proceeds to parties in interest and the State Treasurer. Present were: Commissioners Leslie Van Beek and Brad Holton, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys (arrived at 9:04 a.m.), Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Other interested citizen and Deputy Clerk Jenen Ross. Treasurer Lloyd explained this is a continued part of the tax deed sale process. Commissioner Van Beek made a motion to sign the resolution authorizing the transfer of excess sale proceeds to parties in interest and to the State Treasurer. The motion was seconded by Commissioner Holton and carried unanimously. See resolution no. 24-032.

The meeting concluded at 9:05 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks Chief Deputy P.A. Carl Ericson (left at 9:33 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Director of Indigent Services Yvonne Baker (left at 9:33 a.m.), DSD Director Sabrina Minshall and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing a Resolution Classifying Records of the Canyon County Clerk and Authorizing the Destruction of Indigent Files and Records: This is just routine records destruction and Director Baker said this will be the last destruction of physical files for Medical Indigency that are stored in the jail annex facility. She noted that these files are from 5 years ago and that files are now stored digitally. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution classifying records of the Canyon County Clerk and authorizing the destruction of Indigent files and records (resolution no. 24-032).

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 9:33 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner 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 and DSD Director Sabrina Minshall. Deputy P.A. Laura

Keys participated from 9:33 a.m. to 9:58 a.m. The Executive Session concluded at 10:24 a.m. with no decision being called for in open session.

The meeting concluded at 10:24 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:30 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Brad Holton, Director of Indigent Services Yvonne Baker, Case Managers Kellie George Jenn Odom and Deputy Clerk Jenen Ross. Commissioner Zach Brooks joined the meeting at 10:46 a.m.

Case nos. 2024-14 and 2024-16: Both of these cases meet all eligibility criteria for county assistance and upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to issue approvals for both cases with written decision within 30 days.

Case no. 2024-13: An application with limited information was submitted by the funeral home and following investigation by Indigent Services the decedent does not appear to be an Idaho resident, from what they've discovered it appears the decedent is a resident of Las Vegas, NV. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to deny the case.

Case no. 2024-15: An application with limited information was submitted by the funeral home and Canyon County has been established as the obligated county. The decedent doesn't appear to have anyone to advocate on their behalf however Indigent Services has discovered there appears to be an apartment full of items, 2 vehicles and a bank account where benefits were deposited. Indigent Services feels this case is appropriate for public administration. In totality there appears to be enough in assets to cover the cost of cremation and the decedent is not considered indigent. Commissioner Van Beek made a motion to deny the case and refer for public administration. The motion was seconded by Commissioner Holton and carried unanimously.

Director Baker spoke about a case that was submitted by the Ada County Coroner's Office and background of the case was provided to the Board. The decedent passed away on January 8, 2024 and both Ada and Canyon counties have attempted to work with the spouse but communications and effort to move forward with cremation have failed. At this time, Ada County considers the deceased to be abandoned per Idaho Code 31-2802. Ada County sent a request to the Canyon County Treasurer requesting a review for public administration. To date, the Canyon County Indigent Services office has not received an application for cremation assistance. Ms. Baker said that in an effort to move this along she has brought it before the Board for discussion and possible decision. Based on the investigation done by the Ada County Coroner's Office there appears to be a life insurance policy, a Go Fund Me account, earned and unearned wages along with checking and savings accounts. Director Baker feels that there needs to be an answer from the Treasurer as to

whether or not she intends to pursue public administration. Commissioner Van Beek made a motion to deny based on the criteria that Canyon County is not the payer of last resort even though they are a resident there is no application and the public administration process should be invoked when there are assets that will cover. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:53 a.m. and an audio recording is on file in the Commissioners' Office.

DEMONSTRATION BY INFORMATION TECHNOLOGY OF FINANCIAL WORKFLOW PROCESS

The Board met today at 11:00 a.m. for a demonstration by Information Technology of the financial workflow process. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Director of IT Steve Higgins, Assistant Director of IT Eric Jensen, Project Manager Shawn Adamson, Programmer Analyst II Ryan Cronrath, Development Manager Steve Webb, Business Manager Caitlin Pendell, Auditing Supervisor Sarah Winslow, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Adamson explained that IT has been working with the audit department for some time to create a financial workflow application. The purpose of the workflow application is to streamline the approval process for purchase orders and claims. A demonstration was provided showing how the application will operate. Following the demonstration, discussion ensued and questions were addressed regarding how approvals will move thru the system, how questions regarding claims or purchase orders will be answered, stress testing the application, communication to DA's and EO's, notifications and training.

The Board is in favor of having the application installed on their computers.

Commissioner Holton expressed his concern of creating a serial meeting if there are questions regarding a claim or purchase order. Discussion ensued regarding possible options.

Clerk Hogaboam offered his comments on the budget and budgeted vs. unbudgeted expenses.

The meeting concluded at 11:42 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY MARK JOHNS FOR A CONDITIONAL REZONE, CASE NO. CR2023-0001

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Mark Johns for a conditional rezone of approximately 2.9 acres from an "A" (Agricultural) zone to a "CR-R-1" (Conditional Rezone – Single-Family Residential) zone, Case No. CR2023-0001. If approved,

the applicant will proceed with a subdivision application to split the parcel into 2 lots. The subject property is located at 25220 Kingsbury Road in Middleton. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Associate Planner Maddy Vander Veen, DSD Planning Supervisor Carl Anderson, DSD Director Sabrina Minshall, Mark Johns, an interested citizen, and Deputy Clerk Monica Reeves.

DSD Associate Planner Madelyn Vander Veen gave the oral staff report. On November 2, 2023, the Planning & Zoning Commission recommended the request be denied. The property is located within the Star impact area and is primarily surrounded by residential uses and a mix of lot sizes from under one acre to 10+ acres. There are multiple subdivisions in the area with parcel sizes around one acre. Outside the immediate vicinity there are large parcels both actively used for agriculture and not actively being farmed. The application does not align with the 2030 Canyon County Comprehensive Plan. The future land use designation is rural residential and does not match the proposed single-family residential zoning. The proposal aligns with one goal, six policies, and one action, but does not align with three policies and one action. There are 15 subdivisions within one mile of the subject property with an average lot size of 2.05 acres. There are 37 parcels within 600 feet of the subject parcel with an average lot size of 2.5 acres and the median lot size is 1.15 acres. The highway district has stated the new lot is not anticipated to significantly impact the transportation network and impacts will be mitigated. Approval would only allow one additional dwelling which is already allowed as a secondary residence. The existing home is served by a private well and septic system, and a new private well and septic would serve the new lot. The parcel would be irrigated via a domestic well. The City of Star opposes the request because it does not match their future land use designation. A letter of opposition was submitted by Jessica and Vesta Perryman who are opposed to the request due to the property being used as a rental. In this zoning district a secondary residence would be allowed if the property owner lives on site. Should this case be approved, a proposed condition of approval would prohibit secondary dwellings so it would be the same possible number of dwellings. Following her report, Ms. Vander Veen responded to questions from the Board.

Mark Johns testified in support of his request and started by reading a letter of support from his neighbor, John Perez. Mr. Johns purchased the property, which has a manufactured home on it, seven years ago, and he has done a lot of work to beautify the neighborhood. It's a large property and he would like to build a home in the back with its own address and be able to put another well on it to irrigate a small area. He started the process before the new comprehensive plan went into effect but did not apply until the new plan went into effect. He meets 7 of the 8 criteria, the only one he doesn't meet is the new comprehensive plan. Currently the property is a large field with weeds, and he'd like to beautify it and build a large home. The project fits in the surrounding area with 1-2 acre lots and some large parcels. There is R-1 zoning behind him with one-acre homes. He plans to move into the new home and perhaps sell the existing home. He said the neighbor who opposes it has not spoken with him or asked him about his plans and he said the opinions stated in her letter are not facts. He does not use the property as a rental nor will it be a rental. They will be primary residences. In the past he lived in town and someone else was in the home, but Mr. Johns moved back to the property a year ago and it is/will be his primary residence. He contacted the Idaho Department of Water Resources and was told this is not an area of concern

for wells or septic systems. His property was recently brought into the City of Star although he doesn't think he'll have city services for a long time because it's on the border. The only opposition he is aware of is from the City of Star. The Board had follow-up questions for staff and Mr. Johns.

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

Commissioner Van Beek said the vicinity map represents spot zoning in an area that has been contentious up until the joint powers agreement that was established by the City of Star, but this was territory that was claimed by both the City of Middleton and the City of Star. The purpose of R-1 zone is to promote and enhance predominately single-family living areas at low density standard. If the impetus is to build a beautiful home on a parcel with scenic views this would be a great place to do that, but we are missing architectural design standards and overlays and so in the absence of some critical pieces in our own plan, it will continue to be a hodge-podge. There is already a shared driveway issue, and if this is sold there could be another potential shared driveway issue. Commissioner Brooks said the circle driveway must be vacated if this were to be approved so that conflict with the neighbor is no longer going to exist because the subject parcel is no longer going to use the circle drive in front of the house. Commissioner Van Beek questioned how this fits when it doesn't appear to conform to the comprehensive plan and if there is building there that has changed significantly enough then maybe a comprehensive plan map amendment needs to be done, not just a conditional rezone. Commissioner Brooks said the property is on the outer fringe of Star's area of impact and there is nothing congruent within one mile as far as consistent. Across the street there is a subdivision with one-acre lots outside of the area of impact, and the applicant can apply for a secondary residence. This is a mess, and it speaks to the collateral damage of hastily changing comprehensive plans without considering everything that could be affected. He is in favor of the application. He understands the need for a comprehensive map amendment, but nothing else in the area aligns with anything else, it's a hodgepodge so what does it solve if the applicant goes to the process? What about all the other properties that are around it. It seems like forcing someone through more red tape than is necessary. Commissioner Holton said it could be much more compelling to approve the case if he knew the details of the ground immediately adjacent to the back of the property. Commissioner Van Beek said the Board makes decisions according to the ordinance based on positive findings for all eight criteria, and having one finding that is not positive does cause a denial. Director Minshall said to have a finding in the affirmative, an example would be evidence of how it is generally consistent with the 2030 comprehensive plan and by citing evidence of the character of the area, and some of the policy and codes it aligns with. Commissioner Holton said it fails at Condition No. 1, but Commissioner Brooks disagrees, and said this is generally consistent in a completely inconsistent area. He believes the comprehensive plan got this area wrong. Director Minshall said procedurally, the cleanest way is to have a comp plan amendment then the rezone is there is. Another option would be for the County to generate a comp plan amendment to cover the entire area that matches and has rezones, but we're going to get into piecemealing with a comprehensive plan, or the applicant could apply. The differentiation is about how lots are split, not about the structures themselves. It would result in the density, but the difference is you don't have the actual lot being split to be sold to someone else. Planning Supervisor Carl Anderson said staff has recommended a condition

that if the Board approves it, that no additional secondary residences would be attached and so in essence it equals out. Director Minshall said that is part of the rationale to answer No. 1 in the affirmative, that the Board feels it is generally consistent because currently they could get a secondary residence which would result in the same densities regardless of comprehensive plan amendment. If then as a condition, after that division there are no more secondary residences because if you don't have that condition it would result in four versus two. Commissioner Brooks agrees and is in favor of approving it with the suggested conditions. Commissioner Van Beek said it's a messy area, but Commissioner Brooks makes a good argument, and we can make an argument for that with a restriction. She wants to make sure we are planning for the future. Planner Vander Veen said the concept plan is just a concept at this point, but if you want to add a condition to tie this approval to a specific concept plan you could do that. Commissioner Holton said we need to declare that the area is totally problematic, and the Board can find no consistency and this specific request is not outside of the inconformity of the area. It's consistently inconsistent. The concern is the land in the future possibly becoming four lots instead of two and that would impact immediate property owners and so he feels this is the best use of the land in consideration of the neighbors.

Commissioner Brooks made a motion that based on the FCO's the Board approves Case No. CR2023-0001, a conditional rezone of parcel R37463010A based on the deliberation that it is consistently inconsistent and that the Board finds the application to be the best use of the subject property. Commissioner Van Beek asked for an amendment to say secondary residences are prohibited on each split. Commissioner Brooks agreed and then she seconded the motion. Director Minshall said the Board needs to be very explicit that it finds all the hearing criteria to be in the affirmative and that No. 1 is generally consistent with the comprehensive plan and will have the same result in density. Commissioner Brooks made an amendment to the motion that based upon the fact that a secondary dwelling is already available, so the net effect is there will be two single-family residences, he finds Condition No. 1 is generally consistent in approving the application because two single-family residences can be built on the property regardless of whether the request is approved. Commissioner Van Beek seconded the amendment and said the Board has found an affirmative reason for all of those including the only one that the P&Z Commission denied so that a hearing body could argue either way, and with the exclusion of a secondary dwelling unit in the conditions this will maintain the density, whether it's split or not, and it will uphold personal property rights and it will allow it to be looked at on the comprehensive plan. The amended motion carried unanimously. Staff will bring back the FCO's at a later date. The hearing concluded at 2:47 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 23, 2024

APPROVED CLAIMS

- The Board has approved claims 603029 to 603071 in the amount of \$66,102.77

- The Board has approved claims 603072 to 603113 in the amount of \$155,709.98
- The Board has approved claim 603347 ADV in the amount of \$87,102.50

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Nemo Q, Inc., in the amount of \$10,652.00 for the Information Technology Department (PO #5964)
- A-Gem Supply in the amount of \$7,700.00 for the Southwest Idaho Juvenile Detention Center (PO #5994)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Mathew Lewis, Deputy Sheriff Patrol, transfer from inmate control to patrol

CONSIDER SIGNING CLOSING DOCUMENTS FOR PROPERTY LOCATED AT 1212 ALBANY STREET, CALDWELL, IDAHO

The Board met today at 2:30 p.m. to consider signing closing documents for property located at 1212 Albany Street in Caldwell. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Facilities Director Rick Britton, Assistant Director of Facilities Carl Dille, Nate with Pioneer Title Company, and Deputy Clerk Monica Reeves. Chief Civil Deputy PA Carl Ericson reviewed the closing documents and said he spoke with Kauri Richards at Pioneer Title who was able to confirm the title is clear. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to authorize the Commissioners' signatures on the closing documents. The signed documents will be recorded by Pioneer Title and copies will be on file in the Commissioners' Minutes. The meeting concluded at 2:32 p.m. An audio recording is on file in the Commissioners' Office.

FEBRUARY 2024 TERM

CALDWELL, IDAHO FEBRUARY 26, 2024

APPROVED CLAIM

- The Board has approved claim 603349 ADV in the amount of \$18,872.08

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Rich Soto, Interim HR Director

EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (1) (A), (B) AND (D) REGARDING PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 9:01 a.m. pursuant to Idaho Code, Section 74-206(1) (a), (b) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson and COO Greg Rast. The Executive Session concluded at 9:36 a.m. with no decision being called for in open session.

Following the executive session, the action item was considered as follows:

Consider appointment of interim Human Resources Director: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to appoint Rich Soto as the interim HR Director.

Commissioner Van Beek moved to adjourn.

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

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 27, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$18,913.30 for the Sheriff's Office (PO #5835)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Doug Woods, Deputy Sheriff (correction to pay)
- Jacquelyn Gonzales, Clerk II
- Justin Carlock, Clerk I
- Georgina Cuevas-Carillo, Juvenile Probation lead administrative specialist (salary adjustment)

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas (left at 9:40 a.m.), Deputy P.A. Zach Wesley (left at 9:42 a.m.), Deputy P.A. Alex Klempel, Facilities Director Rick Britton (left at 9:40 a.m.), Solid Waste Director David Loper (left at 9:42 a.m.), Parks Director Nicki Schwend (left at 9:42 a.m.), DSD Director Sabrina Minshall, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Celebration Park Boater Improvements Project Architectural and Engineering Services Agreement with J-U-B Engineers, Inc.: Director Britton explained this is for design and engineering of the boat ramp project at Celebration Park which will be funded by the Idaho Department of Parks and Recreation grant. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Celebration Park Boater Improvements Project Architectural and Engineering Services Agreement with J-U-B Engineers, Inc. (agreement no.24-020).

Consider Celebration Park Deck Improvements Project Architectural and Engineering Services Agreement with J-U-B Engineers, Inc.: Director Britton said there are a lot of requirements for the deck improvements with too many unknown factors to not have an engineered plan. This is being done in conjunction with the Boater Improvement Project as some of the surveying aspects overlap, however, these are completely separate projects and no grant funds will be used for the deck improvement project. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Celebration Park Deck Improvements Project Architectural and Engineering Services Agreement with J-U-B Engineers, Inc. (agreement no. 24-021).

Public hearing to receive comments regarding the proposed increase to the on-site credit card fee for the Pickles Butte sanitary landfill with an action item to consider a resolution increasing the on-site credit card fee for the Pickles Butte Sanitary Landfill: This increase to \$2.25 is to cover county costs for credit card usage. No members of the public appeared to offer comment and no comments were received via phone or email. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution increasing the on-site credit card fee for the Pickles Butte Sanitary Landfill (resolution n0. 24-034).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session.

The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall and COO Greg Rast. Mr. Wesley and Ms. Minshall left at 10:22 a.m. The Executive Session concluded at 10:27 a.m. with no decision being called for in open session.

Consider resolution approving a new alcoholic beverage license for Stinker Store #122: Commissioner Brooks said he has reviewed the application and everything appears to be in order, he then made a motion to sign the resolution approving a new alcoholic beverage license for Stinker Store #122. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-036).

The meeting concluded at 10:29 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER RESOLUTION ADOPTING ON-CALL DIFFERENTIAL PAY FOR FACILITIES EMPLOYEES BEGINNING FY2025

The Board met today at 10:30 a.m. to consider a resolution adopting on-call differential pay for Facilities employees beginning FY2025. Present were: Commissioners Leslie Van Beek, Zach Brooks and Brad Holton, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, COO Greg Rast and Deputy Clerk Jenen Ross.

This change was previously discussed at the February 7th meeting where Director Britton provided details on the pay structure. The change will not be effective until fiscal year 2025 when an additional line will be added to the 'A' budget for the differential pay.

Commissioner Van Beek offered comments in support of this change and made a motion to sign the resolution adopting on-call differential pay for Facilities employees beginning FY2025 (resolution no. 24-035).

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

MEETING TO CONSIDER FINAL PLAT FOR VANWINKLE SUBDIVISION, CASE NO. SD2022-0046

The Board met today at 11:00 a.m. to consider the final plat for VanWinkle Subdivision, Case no. SD2022-0046. Present were: Commissioners Leslie Van Beek and Brad Holton, Principal Planner Dan Lister, Representatives for VanWinkle Subdivision and Deputy Clerk Jenen Ross. Mr. Lister said that all conditions have been met and Commissioner Van Beek made a motion to sign the final plat. The motion was seconded by Commissioner Holton and carried unanimously. The meeting concluded at 11:01 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 2:03 p.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy Treasurer Jennifer Watters and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider casualty loss application for Nicholas Parente: Ms. Watters explained the structure burned on 7/21/23 and they are requesting 6 months of forgiveness for \$82.74 in cancellation of taxes. Commissioner Brooks made a motion to approve the casualty loss application as presented. The motion was seconded by Commissioner Van Beek and carried unanimously.

Approve Treasurer's Tax Charge Adjustments by PIN for January 2024: Ms. Watters answered Commissioner Van Beek's question regarding the adjustment to the landfill property purchase. Commissioner Van Beek made a motion to sign the Treasurer's tax charge adjustment by PIN for January 2024. The motion was seconded by Commissioner Brooks and carried unanimously.

The Treasurer's monthly reports for November and December 2023 and the Treasurer's quarterly report for October - December 2023 were filed in today's minutes.

The meeting concluded at 2:08 p.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(E) TO CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE

Commissioner Van Beek made a motion to go into Executive Session at 2:34 p.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce. 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 and Deputy P.A. Laura Keys, Chief Deputy Assessor Joe Cox and Robin Sellers with the City of Nampa. The Executive Session concluded at 3:03 p.m. with no decision being called for in open session.

Commissioners attended Canyon County Sheriff's Office K9 training event

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 28, 2024

There were no meetings scheduled for today.

FEBRUARY 2024 TERM
CALDWELL, IDAHO FEBRUARY 29, 2024

APPROVED CLAIMS

- The Board has approved claim 603351 in the amount of \$180,444.00

COMMISSIONERS RIDE ALONG WITH NAMPA POLICE DEPARTMENT

The Board participated in a ride along with the Nampa Police Department today from approximately 9:30 a.m. to 11:30 a.m. It was not a Commissioner meeting. There were no motions, action items or Board direction entertained or given.

MONTHLY MEETING WITH THE ADMINISTRATIVE DISTRICT JUDGE AND THE TRIAL COURT ADMINISTRATOR

The Board met today at 1:31 p.m. with the Administrative District Judge and the Trial Court Administrator. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, ADJ Davis Vander Velde, Interim TCA Benita Miller, Deputy TCA Laura Kiehl (left at 1:45 p.m.), Jury Commissioner Christina Jeffes (left at 1:45 p.m.) and Deputy Clerk Jenen Ross. The following items were discussed:

- Jury fee collection – As of October 2023 they have started asking if jurors would be willing to donate back their jury pay in order to offer better accommodations for future jurors; since that time \$15,940.89 has been donated back.
- Ms. Kiehl and Ms. Jeffes recently attended a jury conference where there were a lot of good ideas presented which they hope to implement in the next year so.
- Discussion ensued regarding the jury pool specifically regarding jury summons being sent to deceased citizens. At this time, information is only collected from voter and driver's license records but Ms. Jeffes said she would be willing to contact the Idaho Department of Vital Statistics to see if a MOA could be put in place in order for the county to receive information on deceased citizens.

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

EXECUTIVE SESSION – PERSONNEL MATTERS

Commissioner Van Beek made a motion to go into Executive Session at 1:44 p.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, ADJ Davis Vander Velde and Interim TCA Benita Miller. Deputy TCA Laura Kiehl and Jury Commissioner Christina Jeffes left at 1:45 p.m. The Executive Session concluded at 1:53 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.

MEETING TO CONSIDER ACTION ITEMS RELATED TO THE PARKS DEPARTMENT

The Board met today at 2:02 p.m. to consider action items related to the Parks department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Parks Director Nicki Schwend and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Historic Preservation Support Award agreement with Caldwell Historical Society: Director Schwend explained this project is hire a consultant in an effort to get the Luby Park Rose Garden and pump house on the National Register of Historic Places. The approved amount for this grant award is \$11,780. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Historic Preservation Support Award agreement with Caldwell Historical Society (agreement no. 24-022).

Consider adoption of the Canyon County Parks, Pathways and Cultural Resources Plan: Director Schwend spoke about the plan that was developed with Agnew::Beck and adopted under the previous Board. The current Board has expressed their desire to revise the acknowledgements section to the current BOCC. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to adopt the Canyon County Parks, Pathways and Cultural Resources Plan.

The meeting concluded at 2:10 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS RELATED TO THE SOLID WASTE DEPARTMENT

The Board met today at 2:30 p.m. to consider action items related to the Solid Waste department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Solid Waste Director David Loper, Clyde Alexander and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Adopting Changes to Landfill Caretaker Job Description: There were some basic changes that were made to the job description to better outline the caretaker expectations and Director Loper said the main change was to the salary in order to bring it up to the county minimum. Today's resolution is to officially adopt those changes. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the resolution adopting changes to the landfill caretaker job description (resolution no. 24-037).

Consider Employee Agreement Regarding Employer-Provided Housing: This agreement is to more clearly define the agreement as employer/employee vs. landlord/tenant. Upon the motion of

Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the employee agreement regarding employer-provided housing (agreement no. 24-023).

Mr. Alexander is already an employee of the landfill and knows how it operates; he will be taking over the caretaker responsibilities with a tentative start date of April 7, 2024.

The meeting concluded at 2:38 p.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION WITH COUNTY ATTORNEYS UNDER IDAHO CODE, SECTION 74-206(D) AND (F)

Commissioner Van Beek made a motion to go into Executive Session at 2:40 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. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys and COO Greg Rast. David Leroy joined the meeting at 2:45 p.m. The Executive Session concluded at 3:59 p.m. with no decision being called for in open session.

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

THE MINUTES OF THE FISCAL TERM OF FEBRUARY 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 21st day of March, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS

Commissioner Leslie Van Beek

Brad Holton

Commissioner Brad Holton

Zach Brooks

Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: J Ross, Deputy Clerk

APPROVED CLAIMS

- The Board has approved claim 603350 in the amount of \$312,307.28
- The Board has approved the February jury claim in the amount of \$5,318.50

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Western States Equipment - Meridian in the amount of \$500,000.00 for the Solid Waste Department (PO #5989)
- Right! Systems, Inc., in the amount of \$169,315.00 for the Information Technology department (PO #5977)
- BOE in the amount of \$7,384.00 for the Information Technology department (PO #5978)
- LN Curtis in the amount of \$17,782.00 for the Sheriff's Offices (PO #5836)

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Parma Ridge to be used 3/09/24.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Pamela Black, Temporary Election Specialist
- Warna Sears, Temporary Election Specialist
- Vivian Ferkin, Temporary Election Specialist
- Aidan Lorenz, Temporary Election Specialist
- Talia Sturkie, Deputy Prosecuting Attorney I - Criminal
- Kelsey Manweiler, Deputy Prosecuting Attorney I - Criminal (SAUSA)

APPROVED JANUARY 2024 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of January 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.

ACTION ITEM: ADOPT AND SIGN THE FISCAL YEAR 2024 BUDGET BOOK

The Board met today at 2:03 p.m. to consider adopting and signing the Fiscal Year 2024 Budget Book. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg

Rast, Clerk Rick Hogaboam, Chad Thompson, Jo Dee Arnold, Dan Arnold, and Deputy Clerk Monica Reeves. COO Rast said the reason the Board is adopting the budget book is because it should have been posted after the budget was approved. Historically, the Controller and Clerk have generated a budget book to show what we have done with the funds that were approved, but the Board was informed in October of 2023 that the Clerk and Controller did not want to create a book because the Commissioners prepared the budget. The Constituent Services Department was tasked with creating the budget book, a copy of which is on file with this day's minute entry. Today, each of the Commissioners offered comments in support of the efforts to create the book and they spoke about why it was necessary. Clerk Hogaboam offered comments regarding the use of foregone, and spoke of his statutory requirements related to the budget process and submitting quarterly reports. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adopt the FY2024 Budget Book. It will be posted on the County's website. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The meeting concluded at 2:50 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 4, 2024

There were no meetings scheduled for today.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 5, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Steven Costley, Deputy Sheriff – received intermediate detention certificate

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. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, Solid Waste Director David Loper (left at 9:44 a.m.), Facilities Director Rick Britton (left at 9:34 a.m.), DSD Director Sabrina Minshall, COO Greg Rast, Clerk Rick Hogaboam (arrived at 9:32 a.m. and left at 9:51 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Report on Acquisition of Laundry Equipment from Alliance Laundry Equipment for the Dale Haile Detention Center: Mr. Ericson explained there were no bids were received by the February 20th deadline for this project which allowed the county to go to market. Alliance Laundry Equipment had given an initial estimate and seems they miscalculated the due date for bids. A purchase order was signed on February 21st and today's meeting is just to document and close out this acquisition. The Board provided consensus to continue moving forward with the acquisition of a purchase of \$174,205.00 for 7 washers, 7 dryer and 7 bases which were budgeted for in Fy24.

Consider Legal Notice of Public Hearing to Consider Increasing Tipping Fees for the Pickles Butte Sanitary Landfill: Director Loper reviewed some highlights of the increased fees including minimum fees, municipal solid waste, construction demolition, green waste, sheetrock, clean wood and tires. New categories added were tire shreds, mobile homes with a frame, commercial waste and a clean-up fee. Other changes included deleting the fee specific to Owyhee County and the out-of-county fee structure. There was also an increase to number of tires, paints and oils. The anticipated revenue increase is about \$1.7 – \$1.8M depending on volumes and tonnage. The public hearing will be held on March 26, 2024. Additional, discussion ensued regarding the agreement between Canyon and Owyhee counties and how that may need to be reviewed and updated. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice of public hearing to consider increasing tipping fees for the Pickles Butte Sanitary Landfill. A copy of the notice is on file with this day's minutes.

Yesterday a petition for organization of Auditorium District from the City of Nampa was served on the county, Mr. Ericson provided the reason why and the role the County/Commissioners play in the in the petition.

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 9:51 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, Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Deputy P.A. Zach Wesley, COO Greg Rast. Ms. Minshall joined the meeting at 9:51 a.m. The Executive Session concluded at 10:29 a.m. with no decision being called for in open session.

The meeting concluded at 10:29 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

PUBLIC HEARING: REQUEST BY RIDGELINE VISTAS, LLC, FOR APPROVAL OF A PRELIMINARY PLAT, IRRIGATION PLAN, GRADING AND DRAINAGE PLAN, AND HILLSIDE DEVELOPMENT PLAN, CASE NO. SD2021-0058

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Ridgeline Vistas, LLC, represented by KM Engineering, LLP, for approval for a preliminary plat, irrigation plan, grading and drainage plan, and hillside development plan subject to conditions of development in Development Agreement No. DA-21-033, Case No. SD2021-0058. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Debbie Root, Planning Supervisor Carl Anderson, In Favor: Lynn Warin, Kevin Froehlich, Todd Lakey, Matt Drown, and Stephanie Hopkins, Neutral: Melissa Wieland, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that in 2021 she was part of the decision-making process for this application and the rezone. Neither Commissioners Brooks and Holton had any disclosures or declarations to make.

DSD Principal Planner Deb Root gave the oral staff report. The proposed development is located on approximately 189.84 acres of conditionally zoned "CR-R-R" (Rural Residential) property, and consists of 20 residential lots with a minimum lot size of 8 acres and an average lot size that was must be at least 8.5 acres. The subject property is located to the east of 11509 Shalako Street in Caldwell and is also referenced as Parcels R37369 and R37368. On December 21, 2023 the Planning and Zoning Commission recommended that the Board of County Commissioners approve the request. The applicant is seeking approval of the Ridgeline Vistas Subdivision preliminary plat, irrigation plan and drainage plans, hillside development plans and agriculture preservation plan in accordance with DA No. 21-033. The development is located adjacent to High Plains Estates, and un-platted development of similar sized lots created through land divisions and building permit transfers. They are proposing to have individual domestic wells, septic systems. Access will be served by an existing private road, Shalako Road, taking access to Emmett Road a public road which is approximately 1.2 miles west. It will require reconstruction of Shalako Road. The property has irrigation groundwater rights. There is concern about the existing historic drainage due to flooding that has occurred onto adjacent properties, but the County engineer felt that could be addressed at the time of construction drawing approval. The property lies within a FEMA special flood hazard area, and an approved LOMR (letter of map revision) is required prior to the final plat submittal. The preliminary plat was found to be consistent with the standards of review as conditioned. Construction drawings as approved by the County engineer and affected agencies are required prior to development. Development concerns include single-point of ingress/egress; the development of homes and accessory structures on steep slopes; potential for erosion, vegetation disturbance; access; road grade; and emergency services responsiveness. The County engineer has proposed conditions requiring grading and drainage plans be provided for all but 4 of the proposed lots due to the slope arrangement where the building envelopes are located. Regarding the potential for wildfire, the Department of Interior/BLM sent a letter stating concerns for lands being accessed without approval through them and development on those lands without approval, and BLM fire suppression resources and personnel are not trained or qualified to provide structure protection in the event of wildfire. Ms. Root reviewed agency comments. The local bus company had advised that a school bus will not pick kids up in the development although that could be re-evaluated in the future. There will be a bus stop on the road outside of the

development. The County floodplain administrator indicated the base flood elevation data has been provided and they will require the LOMR prior to the final plat being submitted. There are two proposed roads within the development, Shalako Street that must be improved and extended, and Ridgeline Vistas Lane. Letters of concern were received regarding the road, and the existing development having to a part of maintaining the fire suppression well, but that is an agreement between the two developments within the CC&Rs. Following her report, Ms. Root responded to questions from Commissioner Van Beek regarding water supply, fire district requirements, wells, irrigation, and the roadway ingress/egress.

The following people testified in favor of the request:

Stephanie Hopkins, with KM Engineering, offered testimony on behalf of the property owner and developer for Ridgeline Vistas. The property was conditionally rezoned to rural residential in 2021, and there is a comprehensive development agreement that's been used to help guide the design of development. The developer has coordinated a fair amount with the property owners with the High Plains Estates Subdivision and adjacent property owners to make sure the development is consistent and compatible with the area. Primary access is via Shalako Road and the existing portion will be brought up to current standards and extended through the development to serve as access for the 20 lots. The average lot size is just under 9 acres, the largest lot is 9.83 acres. They are proposing individual well and septic. A portion of the development is in flood zone A, and a flood study was completed by HDR. They put an easement on the plat that can be adjusted as they go through final design to make sure no water is going to the west and water stays within the development. She spoke of the irrigation and domestic water rights available to the property; the northeast corner is steeper so lots will be graded appropriately and will require engineering with building permits. The 2-acre building lots were part of the development agreement requirements, they need to depict where the two acres will be where buildings can be located within; the rest of the property needs to be kept for agricultural uses and that is flexible because there's not a way to hold people down to specific uses going forward. They will encourage people to use the property for ag purposes and be consistent with the High Plains Estates development. They placed the building envelopes based on what they understand to be the existing conditions and what might work, but they would like a condition added to an approval that would allow for some flexibility rather than be held to this specific layout. Ms. Hopkins reviewed the agricultural analysis they submitted which depicts what people could do with the property that is going to be preserved for agricultural purposes. She reviewed the flood study that HDR completed. They will work with staff and FEMA on a letter of map revision that will be required before they file the final plat. She gave a summary of water rights. Irrigation water will come from the groundwater well and the domestic stock water will be diverted from lot 7, block 1. They will allow domestic and irrigation water to be supplied from either one or two wells on each lot, depending on what lot owners want to do. Well depths will be 300-400 feet. Lots will require engineering with building permits. The single point of access is tricky, and they have made design consideration to mitigate concerns, widening the road and including a fire hydrant and working with the fire department. Steep slopes will be engineered, and they have submitted a defensible space plan to show the gradients where they will place landscaping and make sure there is graduated spacing. Landowners will be made aware that they need to be cognizant of how they design landscaping

going forward. Water will stay within the property, and they will mitigate within their development any of the water that will travel to the west. Following her testimony, the Board had follow-up questions for Ms. Hopkins and for staff. When asked about the language for the building envelopes, Ms. Hopkins said they would like to add a condition that allows for flexibility to modify the building envelopes with building permits so as each lot comes in they can have the opportunity to work with staff to determine if they can shift to the east, west, or south depending on the lot.

Ms. Root said the condition is written specifically so they cannot do that. The development agreement requires 2-acre building envelopes and agricultural preservation so ideally if the applicant did not agree with the conditions of the agreement it should go back to the hearing body to have those conditions modified to reflect what they plan to do in the development. Having the agricultural preservation plan and the irrigation water divvied up and the lots being the size they are is going to make it very difficult to comply with the conditions. The Board could modify the agricultural preservation plan condition and/or the conditions of approval restricting the development to two acres on the property and requiring those building envelopes. The Board could remove the building envelopes and place a condition that provides for development areas but doesn't place a large burden on staff to determine what that looks like with every building permit that comes in. Ms. Root has a concern with roving building permits.

Todd Lakey testified the land was an original lot as part of the High Plains project and was intended to be developed similarly with it and they are subject to their CC&Rs as a lot in that project. There will be specific provisions for this portion of the overall development and that will enable those lots to be responsible for the cost of the well maintenance and the hydrant maintenance. We have to approve the main Shalako Road. Regarding fire sprinklers, they are exempt with lot sizes being over 5 acres and outside an area of impact area, but they wanted fire district's support so that's why they agreed to the hydrant and sprinklers. They have subsurface water for the well and those will be allocated and transferred to each well. On the flexibility issue, they have building envelopes that will be shown on the plat and perhaps they can have flexibility between now and the final plat and once the roads and infrastructure are in they would like flexibility to relocate those envelopes within the project based on the layout to give them flexibility when they come in for the final plat. The well was installed in 2014 and it generates 1,000 gallons per minute. They have allocated an emergency use water right for that well and it will feed the fire hydrant. Following his testimony, Mr. Lakey responded to questions from the Board.

Lynn Warin offered testimony as the President of the High Plains Estates Property Owners Association (POA) and said they appreciate the continued collaboration of the project developer. Their board of directors is in favor of the Ridgeline Vistas development and the following conditions they agreed to:

At the signing of the final plat, all roads in High Plains Estates and Ridgeline Vistas will be deeded to the High Plains Estates POA. Prior to the signing of the final plat, Shalako Road shall be improved at the expense of Ridgeline Vistas developer to meet the minimum requirements of the zoning ordinance. If the development is completed in phases with Shalako Road being improved during the initial phase any damage created by the development of Ridgeline Vistas to Shalako Road will

be during subsequent phases and will be repaired by the developer. Ridgeline Vistas will be an extension of the High Plains Estates POA governed by the requirements and will be included in the current High Plains Estates CC&R's as an addendum as well as future updated CC&Rs. The addendum will include fire protection well hydrant incremental annual assessments, building envelopes and lot specific water rights. Voting rights established for each building lot as they are sold and all unsold building lots will have a combined total of one vote for the developer and one annual assessment. A onetime setup fee of \$500 will be assessed as each lot is sold by the developer. This was not in terms of building and funds for a well, this is the fee for those properties being transferred to the High Plains Estates POA, which is a minor difference from what was stated by Mr. Lakey. The fees will be collected by the POA and all expenses, maintenance, and improvements of the fire suppression well and hydrant will remain the responsibility of the developer until the last building lot of the final phase is sold at which time the well, along with the water rights and electrical expenses will become the property of High Plains Estates POA and will be turned over in good working order. As each lot is sold an additional \$300 annual assessment above the current HPE annual assessment will be collected from each property owner in Ridgeline Vistas for the maintenance of the well and hydrant. Semiannually Ridgeline Vistas developer will submit receipts for well hydrant maintenance for review by the POA board of directors. Approved expenses will be reimbursed to Ridgeline Vistas developer up to the maximum amount of reserves available in the hydrant or well assessment fund.

There was no neutral testimony or opposition testimony at today's hearing.

Rebuttal testimony was offered by Stephanie Hopkins and Kevin Froehlich

Stephanie Hopkins said the developer is amenable to not allowing secondary homes and that's something they can address through an addendum to the CC&R's, it would also be appropriate to include it as a condition.

Kevin Froehlich testified regarding the typical maximum gallons per minute. A typical home uses 300 gallons per day and the max is 13,000 gallons per day so it's going to cover the home plus extra.

Ms. Hopkins said they still want the additional condition to allow flexibility between the preliminary plat and the final plat on the building envelopes. In response to a question from Commissioner Brooks, she said the detailed sheets for the preliminary plat show the 2-acre building envelopes with the rest of the property being for agricultural uses. In the development agreement it's her understanding there wasn't a limitation to where exactly those building envelopes had to be placed. Staff wanted to see them stay in the exact spot so that's why they are asking for flexibility to modify the building envelopes where appropriate within lots between this phase of the approval and the final plat submittal. Ms. Root said Condition No. 13 indicates the building envelopes need to remain where they are shown. The preliminary plat was reviewed by staff and engineering with those building envelopes where they are located and the engineer provided, based on where structures may be and what lots needed to have grading an engineering plans, and the intent with a 2-acre building envelope and an ag preservation plan was to put those

envelopes where they would be least disruptive to agriculture, which didn't really happen. She encouraged Ms. Hopkins to consider amending the development agreement to address some of those things that are difficult at best to do at this property. Ms. Root is not opposed to the building envelopes being modified some, but they were reviewed by engineering based on their proposed location which would still be reviewed again at final plat but at that time the roving envelopes were not restricted to just between the preliminary plat and final plat. If there is some thought to not having those apply it would require an amendment to the development agreement. Ms. Hopkins said they are amenable to having the building envelope and preserving the rest of the ground for ag purposes, their request is to have some flexibility with where those envelopes are placed knowing that people who purchase lots may have preferences that are not reflected on the current pre plat. The agreement has some flexibility, it's Condition No. 13 with the preliminary plat that they want flexibility on.

Todd Lakey said if they could change that language it would give enough flexibility to say building envelope locations will substantially comply with those depicted in the preliminary plat. It gives flexibility and keeps it in the general location that's in whatever you approve in the pre plat. He proposes they modify the first sentence to state: as required by the development agreement, each lot has a specific building envelope that will be substantially consistent with the preliminary plat. The proposal is to delete the sentence that says all residential agricultural structures must lie within the area identified on the preliminary plat. The building envelopes on the final plat will be located in substantial conformance with the location on the preliminary plat. Ms. Hopkins said there are just a few lots in which they are seeking flexibility and it's more in the middle of the subdivision.

The following exhibits were identified: US Dept of Interior Bureau of Land Management letter will be identified as Exhibit H; and Exhibit I is the documentation submitted by Lynn Warin. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to accept Exhibits H and I. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to close public testimony.

Commissioner Van Beek said the applicant has agreed to a restriction that would not allow secondary dwellings on the property. Commissioner Holton agreed and wants it added to the conditions of approval. Ms. Root said entitlements should have been addressed during the rezone phase so it would have to be voluntary on the applicant's part and so it may have to be addressed in a plat note. Commissioner Van Beek had questions about adding a plat note in reference to the building envelopes and hillside slopes. Ms. Roto said modifying that condition would require a modification to the development agreement. The secondary dwelling is a separate issue from the building envelope. You can require a condition that puts a plat note on the final plat indicating that no secondary dwellings will be allowed on the properties. The building envelope is already a condition in the development agreement, and it would have to be modified to substantially change it, such as eliminating the building envelopes completely. They can rove because they were already not required in a specific location. From the standpoint of changing where they are currently on the preliminary plat a bit, they just can't NOT be there unless they modify the development agreement. Commissioner Brooks is in favor of the proposed changes to Condition

No. 13 to allow some flexibility. He said the term *substantial compliance* is at the interpretation of the person reading the term and, in his opinion, it gives enough flexibility to move the building envelope to where they see fit between now and the final plat. Commissioner Van Beek does not think any accessory dwelling units should be allowed. Commissioner Holton said he concurs with the P&Z Commission's findings with the addition of language to Condition No. 13, and the addition of Condition No. 15 that addresses not allowing accessory dwelling units. Commissioner Van Beek made a motion based on the findings of fact and conclusions of law for Case No. SD2021-0058 to approve the preliminary plat, irrigation plan, preservation plan, and the grading and drainage plans for Ridgeline Vista Subdivision subject to the conditions of approval except for Condition No. 13 which will state as required by DA #21-033, each lot has specific building envelope location identified. The building envelope must be no more than two acres in size. All residential and agricultural structures must lie within the identified building envelopment. The building envelope shall be shown and located on the final plat in substantial compliance with the preliminary plat. Condition No. 15 will require a final plat note that states no secondary structures shall be allowed. Planning Supervisor Carl Anderson clarified that it is a voluntary condition. The motion was seconded by Commissioner Brooks and carried unanimously. The FCO's will be brought back at a later date. The hearing concluded at 3:09 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 6, 2024

APPROVED CLAIMS

- The Board has approved claims 603352 to 603391 in the amount of \$125,855.63
- The Board has approved claims 603392 to 603431 in the amount of \$177,533.70
- The Board has approved claims 603432 to 603470 in the amount of \$18,949.06
- The Board has approved claims 603471 to 603519 in the amount of \$106,463.74
- The Board has approved claims 603520 to 603564 in the amount of \$241,533.97
- The Board has approved claim 603740 ADV in the amount of \$3,171.00

APPROVED MARCH 8, 2024 PAYROLL

- The Board approved the March 8, 2024 payroll in the amount of \$2,424,631.03

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for:

- Mikaela Rio, Juvenile Probation Clinician

MEETING WITH DEVELOPMENT SERVICES DEPT. DIRECTOR FOR DEPARTMENT UPDATE

The Board met today 3:30 p.m. with the Development Services Director for a department update. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Planning Supervisor Carl Anderson, COO Greg Rast, Keri Smith arrived at 3:31 p.m., Deputy P.A. Zach Wesley and Deputy P.A. Laura Keys arrived at 3:40 p.m. and Deputy Clerk Jenen Ross.

In response to Commissioner Holton's question regarding a matrix or analysis of DSD performance, Director Minshall spoke about how they are not happy with the continued backlog situation. She provided a handout to the Board and reviewed the history and status of development applications. A copy of the handout is on file with this day's minutes. Commissioner Holton expressed his frustration with incomplete applications; DSD staff spoke to some of their ideas regarding those and how they fit into the process.

Mr. Anderson spoke about some process improvements and how they are working on modifications to their project management software for simplification and clarification on how applications move thru the process.

Director Minshall spoke about how Planners are spending an inordinate amount of time on staff reports trying to anticipate every question and leadership is working to get more consistency amongst the staff in how those reports are organized. Commissioners Van Beek and Brooks offered suggestions on changes they'd like to see.

Currently, reinstitution of the hearing examiner is being evaluated and they are working to determine which cases would be heard by this person. The contract was not renewed with Bruce Eggleston last year due to a lack of hearings being held. Additionally, they are looking at the process for parcel inquiries; they are taking a lot of time of the front office staff and often morph into something that is outside DSD scope. Commissioner Holton wants to know what the county's statutory obligation is in regard to this.

Other discussion topics included the way different types of applications make their way thru the hearing process, better alignment amongst divisions, an upcoming workshop to discuss long-range planning and House Bill 608 and Senate Bill 1403.

Follow-up items include:

- Legislative bills
- Statutory responsibility
- Executive session regarding a specific question

The meeting concluded at 4:31 p.m. and an audio recording is on file in the Commissioners' Office.

APPROVED CLAIM

- The Board has approved claim 603741 in the amount of \$10,440.04
- The Board has approved claims 603565 to 603616 in the amount of \$745,992.85
- The Board has approved claims 603617 to 603638 in the amount of \$13,626.00
- The Board has approved claims 603639 to 603670 in the amount of \$76,109.90
- The Board has approved claims 603671 to 603696 in the amount of \$13,631.84
- The Board has approved claims 603697 to 603739 in the amount of \$71,246.49

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change form for:

- Hayli Marcilliat, Housekeeper
- Chelsea Boehm, Historic Preservation Officer
- Melissa Salazar, Legal Assistant I – Criminal Division

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 an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Alex Klempel, Sgt. Jason Roberts, Lt. Travis Engle and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Agreement with Idaho Department of Parks and Recreation – Boating Safety Grant: This is an annual grant agreement which is the same as last year with the exception of greater funding amount – this year’s grant amount \$50,832. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with Idaho Department of Parks and Recreation – Boating Safety Grant (agreement no. 24-024).

There were no other matters for the legal staff update and the meeting concluded at 9:37 a.m. An audio recording is on file in the Commissioners’ Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:32 a.m. to consider matters related to medical indigency. Present were: Commissioners Brad Holton and Zach Brooks, Director of Indigent Services Yvonne Baker, Case

Manager Kellie George, Mr. Chamberlin with All Valley Cremation (left at 10:42 a.m.) and Deputy Clerk Jenen Ross.

Case no. 2024-13: An initial denial was issued on February 22, 2024. Since that time All Valley Cremation has appealed the denial and upon additional investigation it does appear that residency was established in Canyon County, however Indigent Services were not able to fully substantiate if there are assets in excess of \$1000 to cover the cost of cremation. Commissioner Brooks made a motion to approve the appeal based on level of reasonableness that the county is the payer of last resort. The motion was seconded by Commissioner Holton and carried unanimously.

Case nos. 2024-18, 2024-19 and 2024-20: All three (3) of these cases have been investigated and meet eligibility criteria for county assistance. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to approve each of the cases.

A case discussed in a previous meeting is currently in the Treasurer's Office for review.

Commissioner Brooks moved to adjourn the meeting.

The meeting concluded at 10:43 a.m. and an audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 8, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Curtis Blue Line in the amount of \$26,304.75 for the Sheriff's Office (PO #5837)

CANYON COUNTY LOCAL OPTION REGISTRATION FEE DISCUSSION MEETING

Commissioners Zach Brooks and Brad Holton attended the COMPASS meeting regarding Potential Canyon County, Countywide Local Option Registration Fee. The meeting was hosted by COMPASS and was held in the Canyon County Administration Building. No Board action was required or taken as this meeting was held for discussion/informational purposes only.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 11, 2024

No meetings were scheduled today.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 12, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Converge One in the amount of \$6916.30 for the Information Technology department (PO #5981)
- DataBank in the amount of \$5625.00 for the Information Technology department (PO #5980)
- Tree Maintenance in the amount of \$13,000 for the Facilities department (PO #5931)
- WW Livestock Systems in the amount of \$97,861.05 for the Facilities department (PO #5930)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Daisy Olmedo, PA Legal Assistant
- Joshua Wright, Juvenile Detention Officer
- Spencer Siebel, GIS Analyst

APPLICATION FOR APPROVAL TO ACCEPT OUTSIDE EMPLOYMENT FORM

The Board approved an application to accept outside employment for:

- Bernie Ramirez

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permit for:

- Eastside Tavern to be used 4/20/24
- Olive and Vyne Eagle to be used 3/16/24
- Uppercuts Barber Shop LLC to be used 3/17/24, 5/26/24, 5/12/24 and 4/21/24
- Capital City Event Center to be used 5/4/24, 5/11/24, 5/25/24, 5/31/24, 6/1/24, 7/20/24 and 4/6/24

FILE IN MINUTES

- Treasurer's monthly report for January 2024

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND PUBLIC HEARING TO RECEIVE COMMENT REGARDING SOLE SOURCE PROCUREMENT FOR NEW CUSTOMIZED SWINE PEN EQUIPMENT

The Board met today at 9:33 a.m. with county attorneys for a legal staff update and for a public hearing to receive comment regarding sole source procurement for new customized swine pen equipment. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Fair Director Diana Sinner (left at 9:38 a.m.), DSD Director Sabrina Minshall, Facilities Director Rick Britton (left at 9:38 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

No written comments were received and no members of the public were present at the hearing to offer comment regarding the procurement for new customized swine pen equipment.

Consider Executing Purchase of New Customized Swine Pen Equipment from WW Livestock Systems:

Commissioner Van Beek made a motion to execute the purchase. Mr. Klaas said that this was just a meeting to take comment and Commissioner Holton noted that opportunity was provided for public hearing, there were no comments and the Board is supportive of moving forward to get a proposed contract to be signed. Director Britton presented the Board with a purchase order for signatures.

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. Carl Ericson, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall and COO Greg Rast. The Executive Session concluded at 10:22 a.m. with no decision being called for in open session.

The meeting concluded at 10:22 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES TO CONSIDER ACTION ITEMS

The Board met today at 10:31 a.m. with Development Services to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley (left at 10:40 a.m.), DSD Office Manager Jennifer Almeida, Permit Supervisor Cassie Lamb, DSD Director

Sabrina Minshall, Principal Planner Debbie Root, Principal Planner Dan Lister (left at 10:40 a.m.), Keri Smith (arrived at 10:34 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution issuing a refund to Donald Brown for a withdrawn Director Decision Variance request, Case no. AD2023-0081: There was minimal work done on this file with approximately 15% of the fees being utilized. DSD staff is recommending a refund of \$510.00 and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution issuing a refund to Donald Brown for a withdrawn Director Decision Variance request, case no. AD2023-0081 (resolution no. 24-038).

Consider Certificate of non-compliance for property located at 16964 Sand Hollow Road, Caldwell, ID (parcel no. R24353): The property owner failed to apply for a building permit and has since built an unpermitted addition onto a manufactured home. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for property located at 16964 Sand Hollow Road, Caldwell, ID (parcel no. R24353).

Consider Certificate of non-compliance for property located at 11 N. Queen Victoria Court, Nampa ID (parcel no. R30518016): Although a building permit was applied for and approved it was never paid for or picked up by the property owner and since that time the permit has expired. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the certificate of non-compliance for property located at 11 N. Queen Victoria Court, Nampa ID (parcel no. R30518016).

Consider FCOs for Mark Johns, Case no. CR2023-0001: The development agreement and ordinance were not agendized for today's meeting so Commissioner Holton made a motion to continue this action item to a time when all the documents are ready for signatures. The motion was seconded by Commissioner Brooks and carried unanimously.

Consider FCOs for Atlas Towers/Schober, Case no. CU2023-0005-APL: Mr. Lister explained that on February 13, 2024 the Board heard the appeal from Atlas Towers regarding the denial of a conditional use permit for a telecommunications facility; the Board concurred with the denial made by the planning and zoning commission. Revised FCOs have been prepared updating criteria no. 4 as requested by the Board which demonstrates the history of how this case made it before the Board and how they concurred with the decision. Commissioner Brooks recused himself as he did not participate in the hearing. Commissioner Van Beek made a motion to sign the FCOs on case no. CU2023-0005-APL which is a request for a conditional use permit to allow a telecommunications facility on parcel no. R31463010; that is to deny the appeal and uphold the decision by planning and zoning. The motion was seconded by Commissioner Holton and carried unanimously.

Consider FCOs for Ridgeline Vistas Subdivision, Case No. SD2021-0058: Ms. Root said the Board asked a condition be revised and a condition be added; condition no. 13 was revised and condition no. 15 was added. Upon the motion of Commissioner Brooks and second by Commissioner Van

Beek the Board voted unanimously to sign the FCOs for Ridgeline Vistas Subdivision, case no. 2021-0058.

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

JOINT MEETING WITH CITY OF CALDWELL FOR COORDINATION AND COLLABORATION ON LAND USE ISSUES

The Board met today at 3:02 p.m. for a joint meeting the City of Caldwell for coordination and collaboration on land use issues. 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 Principal Planner Michelle Barron, Chief Operating Officer Greg Rast, Facilities Director Rick Britton, Fair Director Diana Sinner, Caldwell Mayor Jarom Wagoner, Caldwell City Councilors: Brad Doty, Chuck Stadick, Diana Register, Chris Allgood, and Mike Dittenber, Caldwell City Clerk Debbie Geyer, Caldwell P&Z Director Robin Collins, Caldwell P&Z Deputy Director Morgan Beesaw, Economic Development Director Steven Jenkins, Caldwell Parks and Recreation Director Juli McCoy, Keri Smith, Connie Aebischer, other interested citizens, and Deputy Clerk Monica Reeves.

Director Minshall said with most of the cities we don't have aligned visions, and what one jurisdiction might mean by agriculture is not what the county means by agriculture, for instance, the city means very low-density residential so staff have been working with some of the larger cities to develop what that spectrum looks like and determine if the visions are aligned. In general, do we have areas that perhaps can be served relatively soon but they might be applying through the county for something that's very low density but if it gets to the city if it's that low density it doesn't make sense for services and so the public gets caught in the middle of what does the city want, what does the county want, and what do the neighbors want?

Caldwell P&Z Director Robin Collins gave a PowerPoint presentation was given on the following topics, and a copy is on file with this day's minute entry:

- Overview of Levels of Planning and Coordination Opportunities
 - Comprehensive Plan
 - Impact Areas
 - City Limits and Annexations
 - Zoning Designations
 - Development Applications
- Caldwell Comprehensive Plan Update and Public Outreach
- Area of Impact Boundaries and Inconsistencies with Comprehensive Plans
 - 2 examples (future proposals)

- Canyon County Campus Planning and Future Zoning District
- “Fairgrounds area” Special Area Plan
- Questions and Discussion
- Next Steps
 - Comprehensive Plan(s) coordination, public outreach and map development
 - Utilities master plans and detailed analysis
 - Caldwell Area of Impact proposal back to County
 - Coordination on Campus Plan and Zoning District
 - County Participation in Special Area Plan

Mayor Wagoner said an impact area is not just about land use planning, the biggest impact is to sewer and water and it requires planning so they are able to have proper flow. When impact area boundaries change or cities annex into other impact areas the issue becomes not having the proper flow of sewage and which becomes very expensive in terms of maintenance.

Deputy Director Morgan Beesaw reported on the City of Caldwell’s comprehensive plan update process and efforts to get the public involved. They hope to adopt the final comp plan next spring and have early deliverables in April of 2024 followed by a draft vision document for the public. They will have a draft land use map and a draft existing conditions analysis that will be presented to the commission and council before summer to be used as a tool to guide future amendments until the final map and plan are adopted next year. Goals for the update are:

- Have the comprehensive plan boundary and Impact areas align with this update
- Update future land uses to be less intensive along the edges of the impact area / county boundary
- City desires an expansion of the Area of City Impact as part of this update
- Have a comprehensive plan with more guidance on density, land uses, and transitions

City of Caldwell Current Comprehensive Plan and Impact Area Boundaries

Current Comprehensive Plan Boundary: (37,111.25 acres)

North: Hwy 44

East: Madison Road

West: Chicken Dinner Road

South: Lowell Road / Lone Star Road

Existing ACI Boundary: (30,169.12 acres)

The City of Caldwell’s planning area currently does not align with the City of Caldwell ACI boundary on the south end of Caldwell.

Impact area stops at Farmway Road, but Comprehensive plan boundary goes to Chicken Dinner

(See map depicted on slide 12 of the PowerPoint presentation)

The first proposal the City wants to discuss is:

Caldwell Area of City Impact Potential Expansion Proposal and Comprehensive Plan Area Boundary Realignment - 1

Expand impact area west along Ustick Road from Farmway to Wagner Road, then south to the lake, around the lake to Farmway, then north to connect to the existing impact area 0.25 mile south of Karcher.

Comprehensive Plan Area Reduction	Potential ACI Expansion
(5,578.89) Acres	+ 1,924.22 Acres

(See map depicted on slide 13 of the PowerPoint presentation)

Caldwell Proposed ACI Expansion - 1

Purpose:

Capture municipal growth that has occurred beyond the current ACI boundary, and to set a foundation for collaboratively planning this area with stakeholders and the County. The project will build 400 homes in the area.

The City has already master planned for the delivery of services in the area.

Utilities are expected to be extended within the potential ACI expansion area within approx. two (2) years.

(See map depicted on slide 14 of the PowerPoint presentation)

The second proposal the City wants to discuss is:

Caldwell Area of City Impact Potential Expansion Proposal - 2

Expand impact area from Hwy 44 north along the interstate, east on Purple Sage, north along El Paso Rd, around the city owned golf course and the school, then south on Hwy 30 to the northern corner of the golf course, then west approx. ½ mile past Farmway, then southwest to Mink, then west to Wagner, then south connecting back to Hwy 44.

Potential ACI Expansion

+ 2,026.75 Acres

(See map depicted on slide 15 of the PowerPoint presentation)

Caldwell Proposed ACI Expansion - 2

Purpose:

Capture Purple Sage golf course, which is owned by the city, and the city well that is located on the school property north of the golf course.

This will also set a foundation for collaboratively planning this area with stakeholders and the County.

The City has already master planned for the delivery of services in the proposed ACI areas and beyond.

Utilities are expected to be extended within the next five (5) to ten (10) years with the development of the city’s north urban renewal area.

Area of city impact potential Expansion / proposed comprehensive plan boundary reduction summary:

	Existing Acres	Proposed Reduction	Proposed Expansion	Proposed Balance (Acres)
Comp Plan Boundaries	37,111.25	(5,578.89) Acres	0	31,532.36 acres
City Impact Area	30,169.12	0	3,950.97	34,120.09 acres

It does not look like there will be any overlap with what the City of Nampa has proposed for their expansion and what Caldwell is proposing for theirs, but this will be verified before a final consideration.

Joint Powers Agreement and Coordination

2005:

Joint Powers Agreement was adopted

2015:

Nampa/Caldwell Area of City Impact Expansion (Resolution 202-15)

2020:

County accepted the City of Caldwell’s 2040 Comprehensive Plan and Map.

2023-2024:

County is actively engaged in the City's Comprehensive Plan update process and sits on the Comprehensive Plan Stakeholder Committee

Side Note:

*County Development Services Director and City Planning Director communicate on a regular basis.

County and City planning teams (now that we are both fully staffed or close to) will be enhancing our coordination and communication efforts moving forward.

Discussion followed. Director Minshall said DSD staff will meet with municipalities and planning staff for quarterly meetings.

Councilman Chuck Staddick asked where the line will be drawn for agriculture, is it Wagner Road or Chicken Dinner Road? Years ago, there was an understanding that Farmway Road was the boundary for agriculture going west and his platform has been to preserve ag land where it makes sense, but he has dissatisfaction with the latest development (the Chickasaw Project) which is located off Homedale and Farmway roads. Had it been advertised properly by the city there would have been a lot of opposition to it. Commissioner Van Beek said most of the development occurs within the cities and the county developments are significantly less and there has to be collaboration on where growth is taking place. Councilman Staddick spoke of how lot splits/developments are not favorable to the farmer because it restricts their ability to apply chemicals and fertilizer and it affects their water usage. Councilman Chris Allgood said when the widening of Karcher Road completes the interest in that area will grow immensely and if they widen all the way to Farmway Road all the bare land will become more valuable and so having a plan in place on how to address that will be vital. Director Collins said their planning area goes all the way to Chicken Dinner Road, but they are proposing to bring it back to align to Wagner Road and they will no longer be planning on the 5,000 acres. If they are successful in getting the pink area on the map as part of their ACI expansion you would see lower densities out there because they would be adjacent to county land. They will look at single-family dwellings or larger lot developments. Commissioner Holton said the majority of the 5,000 acres the city plans to let back are prime farm ground, very large fields with seed producing crops compared to the city's area #2 which is reasonably good farm ground, but nothing in comparison. He is worried about preservation of farm ground. Director Minshall said they will continue to do some analysis, take site visit tours, talk with Nampa and Middleton, and have their public works directors come back and share where the utilities are and provide more detail before any sort of presentation is brought for adoption.

Other Updates:

- Canyon County Campus Planning and Future Zoning District
- Caldwell Event Center District Subarea Master Plan

Director Minshall said the county has a strong interest in formalizing a zoning district, based on the collaborative conversation with public works and planning on what are the pedestrian amenities, how are people getting to and from things, parking, and expansion needs. We want to say here is a zoning district, there may be a larger comprehensive planning district, but we would only zone that when the county owns it. The Sheriff's administration building project will commence within the next five months and she thought that would be a good opportunity when county owns so much land in the area to collaborate on where we have shared visions and how we can utilize the facilities and make sure we're on the same page about what the future looks like.

Councilman Staddick said the city is concentrating on infill where they have parcels of 1-3 acres surrounded by subdivisions, and they are trying to concentrate on those first before going to Wagner Road so let's get that filled up first and worry about expanding past Wagoner Road in the future.

Caldwell Events Center

Subarea Master Plan -

- Vision, goals, and implementation strategies
- Overall site design, parking and public amenities
- Identify potential land uses and layout for lodging, restaurant, and entertainment venues;
- Identify adjacent supporting areas and land uses
- Make recommendations for public-private and public-public partnerships.
- Potential transit-oriented development around the event district.
- Recommendations for regulatory updates, policies and/or standards
- Identify potential funding sources.

- Improvements to the event center district have long been envisioned by community leaders in order to create more opportunities for events and entertainment outside of what is available in Downtown Caldwell.

- In addition, the city desires to help draw further investment into the event district and surrounding supporting areas.

- The Caldwell Event Center District is defined as the area shown in red, with supporting areas shown in orange, green and blue.

- The green has a potential for transit-oriented development, where the blue represents the College campus area.

- 6-month time frame

- Initial meeting with City staff to review the project schedule, scheduled meetings, and the process of data acquisition.

- Kick-off workshop with representatives from the City of Caldwell, Canyon County Fair, College of Idaho, Caldwell Rodeo, and other stakeholders as identified.
- Public participation events and website
- Regular stakeholder meetings / workshops
- Presentation to City Council on final master plan document.

Director Collins said with the comprehensive plan update it's a great time to do a specific area plan for the Caldwell Events Center to help know the visions and goals and give some ideas for overall site design, parking, and how it could be redone. Identify land uses, such as what should the Rite Aid property redevelop into? Should it be a restaurant, a hotel, or an entertainment venue. The city has received informal bids for the potential project.

(See slides 22 and 23)

Councilman Brad Doty asked Mayor Wagoner if there is an update on resolution #50-02 and whether it is still valid. Mayor Wagoner said even though the board has not been meeting formally it doesn't dissolve. The stakeholders will meet in a couple of weeks to solidify it and move it forward, and it's his understanding that just by not participating or not meeting does not dissolve it. It requires the stakeholders to make the decision to dissolve it. Councilman Doty wants to make sure if that's the direction we're going that they are involved with the planning. It sounds like there are some bids, but that board didn't say to do that although in his opinion it is probably a good idea. He said the board needs to be involved with whatever is taking place. Commissioner Van Beek said there is a good partnership, but the document lays out that whoever owns the property bears the cost of the maintenance and she wants to know who is doing that? Commissioner Holton said the meeting that's scheduled for 2 weeks from now will be a good time to explore that. Director Minshall said part of their consultant scope is to come up with some funding opportunities and that's where the discussion of who's going to participate where will happen. Councilman Doty said if we're going to follow Resolution #50-02, it sounds like the city has asked for bids to plan that master area already without the board being stood back up so he wants to make sure if we're going to follow #50-02 that we get that up and running quickly before we make any plans as to what we're going to do in this area. COO Greg Rast said there is Agreement No. 16-138 supersedes and abolishes the joint powers agreement and so it appears the board is gone. He thinks the joint venture is still good but we need to re-evaluate where we're at on a really old agreement with some other agreements that have come since. Councilman Allgood wants to see the city council adopt a new resolution with the current stakeholders and abolish anything prior and have an agreement that matches what we're doing today because what we were doing back then is very different than where we are today. The events center does not support itself and the city subsidizes it to some extent and the goal is for it to be self-sustaining. He asked Director Collins if the comment that low-density residential means something different from the county to the city. Director Collins said the city has two different residential estate zoning categories that are single-family, but they are on larger lots. They anticipate on the edges you might transfer from where the Chickasaw project is, where it's low-density residential, you would

transfer to some rural estates along the edges where the impact area meets the county. Director Minshall said through our ACI agreements it does allow higher density in county areas if you're going to be in the city ACI assuming services will get there. We have talked about creating a continuum that illustrated what agriculture means in some areas which could also mean some residential uses, the different versions of lower density residential or higher density residential. We want to introduce how we are planning together - both comprehensive planning and zoning ordinances and updates - at least these two areas of ACI and expansions. They will come back with more discussion on utilities and an overview of both the county zoning district and the subarea plan. Mayor Wagoner said we need to work together and make sure we are on the same page and do what's best for the community. No Board action was required or taken. The meeting concluded at 4:06 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 13, 2024

APPROVED CLAIM

- The Board has approved claim 603742 in the amount of \$28,881.00

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Taylor Peterson, Clerk IV (Civil Lead)
- Nereida Mireles, Clerk II

MEETING TO DISCUSS OUT-OF-COUNTY MUNICIPAL SOLID WASTE

The Board met today at 2:10 p.m. to discuss out-of-county municipal solid waste. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Solid Waste Director David Loper, Landfill Operations Manager Daniel Pecunia, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Loper explained that the landfill is regularly receiving customers and/or calls about taking out-of-county waste. And recently, IRWS, which is a private landfill between Boise and Mt. Home, had to temporarily close and CCSW is now receiving a lot of calls from those customers. Discussion ensued regarding Article 3, Section 02-03-07 of the Canyon County Solid Waste Disposal regulations which states that the landfill does not accept out-of-county waste, that the director has the discretion to accept up to 5-yards and anything above that amount would need to come to the Board for approval. Director Loper and Mr. Pecunia spoke about a recent exception outside

of the ordinance guidelines they had to make and about how with the recent closure of IRWS there has been a request from Pacific Recycling about accepting waste generated from their metal shredder for a limited amount of time. Director Loper said in regard to taking out-of-county waste it would only be small amounts of household waste, it would not be commercial/industrial waste.

Commissioner Van Beek stated she will likely be more hardline on the policy as it the Board's responsibility to preserve the landfill into the future. Commissioner Holton expressed his concern with people repeatedly using Canyon County Landfill because it is more convenient and not taking their waste to the proper disposal location for the county in which they live.

The Board is supportive of the fee out-of-county waste being large enough encourage people to take their waste to the proper location. Director Loper said he will put some additional work into this in order to come up with a more structured policy and plans to work with Communications Specialist Chad Thompson for community outreach.

The meeting concluded at 2:37 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH HUMAN RESOURCE REGARDING CANYON COUNTY FAIR ASSISTANT DIRECTOR

The Board met today at 2:42 p.m. with Human Resources regarding a Canyon County Fair Assistant Director. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Fair Director Diana Sinner, Marketing and Sponsorship Coordinator Rebecca Coulter, HR Business Partner Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Sinner explained that during her budget meetings there was discussion regarding succession planning and need for a full-time staffing structure. With the opening of The Center, expanded layout of the fairgrounds and sustained growth there is a need to have a secondary person to assist with operations. Today's resolution is to reclassify the Marketing and Sponsorship Coordinator position to a County Fair Assistant Director position as approved in the FY24 budget. Ms. Allen confirmed that HR has reviewed the job description and that the wage range falls within the salary grade for the position.

Commissioner Van Beek made a motion to sign the resolution adopting changes to the job title, job description, salary grade and FLSA status of one (1) position at the County Fair. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-039).

The meeting concluded at 2:48 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 3:00 p.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Jenn Odom and Deputy Clerk Jenen Ross. Ms. Odom presented the following cases to the Board for consideration:

Case no. 2009-1137: This applicant has fulfilled their obligation to the county and Indigent Services is requesting a lien release. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the lien release and issue a written decision within 30 days.

Case no. 2024-21: All eligibility criteria has been met for this case and Indigent Services is requesting approval for cremation. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the case.

The meeting concluded at 3:01 p.m. and an audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 14, 2024

APPLICATION FOR APPROVAL TO ACCEPT OUTSIDE EMPLOYMENT FORM

The Board approved an application to accept outside employment for:

- Debbie Cabodi

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

The Board met today at 10:00 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Facilities Director Rick Britton (left at 10:12 a.m.) and Deputy Clerk Jenen Ross. Deputy P.A. Zach Wesley joined the meeting at 10:37 a.m. The action item was considered as follows:

Consider Addendum No.1 to Invitation for Bids for the Elevator Modernization Project: This addendum addresses questions that have been submitted. There were 7 questions submitted which have been answered by Director Britton and legal. Proposals for the project are due March 19th. At the request of Commissioner Van Beek, Director Britton reviewed the questions and answers supplied in the addendum. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign addendum no. 1 to the invitation for bids for the Elevator Modernization Project.

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 10:13 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. Carl Ericson and Deputy P.A. Oscar Klaas participated from 10:13 a.m. to 10:37 a.m. and Deputy P.A. Zach Wesley joined the meeting at 10:37 a.m. The Executive Session concluded at 11:18 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.

PUBLIC HEARING: REQUEST BY DARREN GOLDBERG/LGD VENTURES, LLC, FOR A CONDITIONAL REZONE FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-R-R" (CONDITIONAL REZONE - RURAL RESIDENTIAL) ZONE; PRELIMINARY PLAT FOR LEWIS HEIGHTS SUBDIVISION

The Board met today at 1:30 p.m. to conduct a public hearing for Case No. RZ2021-0030 and SD2021-0018, in the matter of a request by Darren Goldberg, LGD Ventures, LLC, for a conditional rezone of parcel R30117 from an "A" (Agricultural) Zone to a "CR-R-R" (Conditional Rezone - Rural Residential) zone. Included with the conditional rezone is a development agreement. The request also includes a preliminary plat (with irrigation and drainage plan) for Lewis Heights Subdivision. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Principal Planner Michelle Barron, Deputy PA Zach Wesley, In Favor: Becky Yzaguirre, Terry Scanlan, Zane Cradic, Josh Leonard, and Darren Goldberg, In Opposition: Claudia Haynes, Jeannie Amen, Kim Yanecko, Ken Yanecko, Amy Weidner, Dawn Schwab, Holley Wechanowicz, Beverly Cavazos, Linda Kelso, Thomas Bratcher, Patty Martinez, Danny Martinez, Irene Leavell, Jimmy Leavell, Kerry Greenfield, Manuel Cavazos, Angela Bratcher, David Miller, Lesli Christofferson, Wesley Weidner, Sara Miller, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that in 2021 she was part of a previous Board that heard this case, but it will not affect her decision in this case. Neither Commissioner Holton nor Commissioner Brooks had any disclosures to make.

DSD Principal Planner Michelle Barron gave the oral staff report. The applicant is requesting a rezone for 78.5 acres. The preliminary plat proposes 31 buildable lots and 6 common lots. If approved, a new hearing would have to be held to approve a development agreement to be in substantial conformance of the concept plan which is the preliminary plat for Lewis Heights. The property is located on the south side of Lewis Lane, approximately 1300 feet east of the intersection of Sky Ranch Road and Lewis Lane, Nampa, Idaho. The parcel is south of Lake Lowell. The original concept plan was for 34 buildable lots with individual wells, and the Lewis Heights preliminary plat. On April 4, 2022, the P&Z Commission recommended denial to the Board of Commissioners. The applicant opted to change the application and was scheduled to move

forward with the Board. At the first P&Z Commission hearing, the applicant worked on an updated plan to include a public water system with a 31-buildable-lot concept plan. The applicant asked to remand the case back to the P&Z Commission so they would have an opportunity to see the information. At the November 16, 2022 hearing, the Board agreed that the applicant had a significant change and it needed to be heard by the P&Z Commission for the amended application. On December 21, 2023, the P&Z Commission recommended denial of the new plan.

The application was submitted under the 2020 comprehensive plan and the future land use designation for that plan is residential. The proposed conditional rezone aligns with 8 goals and 11 policies of the 2020 comprehensive plan. The soils are considered moderately suited for agriculture. Only 8.29% of the parcel is considered prime farmland if irrigated. The parcel is surrounded by residential site homesites even though much of the zoning is agriculture. The parcel to the south was more recently rezoned to rural residential. There are 20 subdivisions in the area with an average lot size of 3.58 acres. Within one mile of the site there have been 8 land use cases since 2016, most were rezones from agricultural to conditional/rural residential. Information was provided by the former County Engineer to help explain the recommendation to be served by a public potable water system. The concerns through testimony include unregulated drinking water quality, a largely unregulated well construction process, more preferential pathways for contaminants from at or near the surface to enter the aquifer, and subsurface wastewater disposal over an already degraded aquifer. The benefits of a public water system are that the Idaho Department of Water Resources (IDWR) appropriates the water and water quality standards are enforced, less holes in the ground equals less pathways for contaminants and less interaction with subsurface sewage disposal, and the wells are typically drilled to a greater depth than individual wells. Public roadways with right-of-way dedication will serve the properties within the subdivision. A community water system and individual septic systems are proposed.

The following people testified in support of the request:

Becky Yzaguirre testified Lewis Heights Subdivision is surrounded by development on all four sides making it a textbook example of where development should occur. The property has one existing irrigation well with irrigation groundwater rights. The Mora Canal splits 2.98 acres from the development, and although adjacent to the canal the property is uphill and has no surface water rights. The irrigation supply is entirely from the onsite well. They are seeking approval of a preliminary plat and development agreement with a conditional rezone from agriculture to rural residential. The project will consist of 31 buildable lots, 9 common lots with a minimum lot size of 1.6 acres, a max of 2.79 acres and an average of 2.3 acres. The lot sizes are compatible with adjacent properties which average 2.2 acres. The development will feature a community well with a community fire suppression system with each home having in-home fire sprinklers and individual septic systems. The project will consist of two phases, the first phase will contain 14 lots and 5 common lots, and the second phase will consist of 17 lots and 4 common lots. Both phases will have access to Lewis Lane. The pressurized irrigation and fire suppression system and community well will be built in phase one. They have redesigned the plat to meet the requirements of the 2022 findings of fact and the changes included a community water system instead of individual wells and they added a fire suppression system for in-home sprinklers. For the common lots south

of the canal they will sell that portion to the Taylor Jene property owners but until then the Lewis Heights HOA will maintain it as stated in the proposed condition and on the plat note. The preliminary plat is in full compliance with the rural residential development requirements as outlined in the 2020 comprehensive plan and the County's code. The development aligns with the comprehensive plan for rural residential development with a focus on compatibility. Unlike many other subdivisions in the area surrounded by farmland and facing compatibility issues their infill project is set among homes promoting organized, harmonious growth. This minimizes land use conflicts and conserves resources. The project is surrounded by development on all four sides creating a clustered development, avoiding sprawl, and protecting farmland. Ms. Yzaguirre said the opposition seeks to portray the area around the property as largely agricultural and historically rural in nature, yet the evidence tells a different story, one of which of steady development over the past decade shifting the character of the area from agricultural to residential. This transformation underscores a broader trend moving agriculture to a more residential feel and it shows the development has expanded and less active agriculture is in the area. This is an infill development as it is consistent with its current land use patterns and is essential for coherent growth. Landscaping will feature minimal drought resistant trees and shrubs primarily along Lewis Lane serving as a screen for the northern neighbors. A pathway along the Moral Canal will link the two cul de sacs for a nice walking loop. There will be six-foot safety fence along the canal and perimeter fencing around the property. They intend to set up a community fire suppression system on common lot no. 17 delivering 500 gallons per minute to hydrants across the development. Each home will be equipped with in-home sprinklers connected to the potable water service, and each home will have a septic system. The development will have a community water system with two new wells per DEQ requirements. Only one well will be active at a time with a second serving as a backup providing domestic water to each resident. The existing onsite well will be dedicated solely to fire and pressurized irrigation. The property soil composition is primarily 92% class IV soils as defined by the USDA which severely limits the potential. The soils impose significant restrictions on crop selections and require intensive management leading to higher costs and labor. The development is projected to reduce water usage by 20 million gallons annually. Traditionally, the site's 75 acres irrigated at 3 feet per acre consume 73 million gallons from April to October. Projected water use for 31 homes total only 53 million gallons annually accounting for both household and irrigation needs across 51 acres. This shift represents a significant conservation effort lowering the development's environmental footprint by reducing the area's overall water consumption. The primary reason for the domestic wells south of Lake Lowell drying up during the peak summer months is a presence of high-capacity ag wells near the county subdivisions particularly those farther south of Lewis Heights. These deep agricultural wells operate around the clock drawing substantial water for crop irrigation. This activity creates a seasonal cone of depression that temporarily lowers the local water table, as a result shallow wells in the vicinity may run dry during the irrigation season. This scenario illustrates the impact of intensive agricultural groundwater usage in the area. Additionally, it's necessary for residents living close to these deep ag wells to consider the timing of their own well drilling when these large ag wells are at their peak usage to understand the potential water table fluctuations. In the fall of 2021, the IDWR began monitoring wells in the Deer Sky Ranch Subdivision after countless reports of wells going dry. Now they have accumulated two years of data from the location and the graph distinctively shows the timing of the cone of depression aligning with the hottest and driest

months from July to October. Starting in November there is a noticeable replenishment of the water table which continues until it reaches its peak by the end April and this pattern repeats annually providing a clear understanding of the water table fluctuations in the area and wells drying up in the summer months. This pattern has been going on for decades in this area. The occurrence of the cone of depression from these large ag wells in the summer months is well understood as the developer of the Deer Sky Ranch Subdivision put a note on the plat stating homeowners are advised that large ag wells in the area may cause water tables to fluctuate and homeowners should take appropriate measures to compensate for this possible fluctuation with drilling their domestic wells. After reviewing the well logs for Deer Sky Ranch and nearby large agricultural operations, it's evident that the wells in Deer Sky Ranch average a depth of 400 feet versus nearby ag wells which commonly have depths of more than 600 feet. Many Deer Sky Ranch wells were drilled in the fall, winter, or spring when the groundwater levels were higher than during the summer. This oversight is leading to wells that are too shallow and temporarily drying up in the summer and early fall. This reflects an incompatibility with the long-term standing adjacent farms. Lewis Heights is situated amongst similar developments and will ensure that its water usage and infrastructure are in harmony with the surrounding area to prevent the water shortage issues faced by Deer Sky Ranch. Lewis Heights is a compatible development that adheres to the code and comprehensive plan while focusing on efficient resource use and enhanced water conservation measures.

Following her testimony, Ms. Yzaguirre responded to questions from Commissioner Van Beek.

Terry Scanlan, an engineer and hydrogeologist with HDR Engineering, gave testimony regarding the water supply and water rights. This property has an irrigation water right, a 1966 priority, for irrigation of 77 acres. It's the only water source that has been used for irrigation on this property and it's been used for over 50 years successfully. The well that's on the property has been there since 1978 and has persisted and continues to be productive. For domestic water they are proposing a community water system. A new water right will be needed to obtain approval of that, a process through the IDWR. The developer will have to apply for a water right permit and it will go through an administrative process. IDWR will make a decision to approve or deny based on the evidence and the statutory criteria they have to follow. IDWR has a duty to determine whether this subdivision is going to cause problems with other water users south of Lake Lowell. Aquifer conditions: problems with wells south of Lake Lowell have been going on for the last several years and IDWR Western Regional Manager Nick Miller asked their hydrogeologist, Dennis Owsley, to investigate. He investigated in 2015 and it was updated in 2021. His report found that although seasonal fluctuations exist the overall trend of the aquifer levels in the area appear to be stable or rising on a long-term basis. This indicates the aquifer is being replenished by a volume equal to or greater than the current volume of water discharged on an annual basis. The well issues that have been brought forth to the department are likely a reflection of the low transmissivity nature of the aquifer in this area, well construction issues, and well hydraulic issues. Low transmissivity means these aren't highly productive aquifers for a given amount of water there is a lot of drawdown. It also means they are highly confined, it's a pressure response so that drawdown propagates over a long distance causing those large seasonal fluctuations, particularly further south towards dry lake where all of the irrigation is from ground water. Well construction

issues: it means wells aren't drilled deep enough or they are drilled so that they don't maintain their productivity, they will sand in or plug up, and so those are issues that can be overcome with proper well construction. Lastly, is the well hydraulics, it means wells are interfering with each other - the cone of depression - from large agricultural wells causing shallow or domestic wells to seasonally dry up. Water is still there but it's deeper down. The Dennis Owsley memo shows 11 of the monitoring wells south of Lake Lowell and it shows further south toward the Snake River where lands are irrigated with high lift Snake River water, aquifer levels are rising a lot. Two wells on the southern end - in a fifteen-year period one went up 65 feet and the other came up 83 feet in response to the recharge that's been going on there for the last 50 years. Closer to the lake those increases aren't as great, in fact, near the lake the water levels are pretty stable on a year-to-year basis.

Following his testimony, Mr. Scanlan responded to questions from Commissioner Van Beek.

Zane Cradic, who is the civil engineer on the project, testified they have one existing irrigation well that will be used for fire suppression and pressure irrigation, and there will be two additional wells which are required by DEQ for the community system. Only one of those two wells is in use at any given time. When you have a community system DEQ requires a second well just in case something happens with the first well. They have been irrigating for the last 50 years and they are going to reduce that to 46 acres, therefore they have a net positive of water they are leaving in the aquifer that they are not pulling out every year. This subdivision is improving the aquifer level because they are not pulling out that water year over year.

Josh Leonard referenced an earlier question from Comm. Van Beek who questioned them coming back with five-acre lots, but Mr. Leonard cannot find that. Exhibit H is the signed findings and conclusions, and it does not mention either it for the conditional rezone or the subdivision. Commissioner Van Beek said she is looking at Exhibit E, attachment 1. Mr. Leonard said that document is the draft FCO's when the case was remanded back to the P&Z Commission, it is not the actual signed document. The signed documents from the P&Z Commission do not include that. Regarding the 1.5 irrigable acres, in Mr. Scanlan's report and subsequent letter he made clear that it's pretty unlikely that that 1.5 acres per lot would actually be irrigated. That is a maximum number, not a likely number. He reviewed the original P&Z Commission's findings and conclusions where they found the applicant complied with all but one of these, and the one they said they did not comply with was character of the area; they felt the proposed plan would affect that negatively. On April 21, 2022, the P&Z Commission concluded that the proposed conditional rezone *may* have a negative effect and then they correctly note that the property is identified as residential on the County's future land use map. On January 4, 2024, they said it *will* have a negative impact, but they don't mention that the property is still within the area designated as residential on the future land use map. The reasons they give are: it will affect productive agriculture, including aerial spraying but that's incorrect because of the closeness of single-family residential in this area this plot of land cannot be sprayed aurally today. They mentioned a concern for agricultural vehicle traffic, but there is no evidence that it will negatively affect agricultural vehicle traffic which is on the road today. They discussed concerns about water availability and the impact of increased traffic, but he noted there were no concerns from the

highway district about the increased traffic. This is not super dense single-family or multi-family residential, this is respectful development of 1.5 to 2.5 acre lots and it is in keeping with the area. It is surrounded on all 4 sides by existing single-family residences. It is not historically agricultural. It has been owned by a developer for 15 years. The character of the area has been moving to residential steadily for the past 20 years as reflected on the County's future land use map and comprehensive plan. Mr. Leonard wants to dispel the myth that this is "prime farmland." The property is not on the fringes of the area designated residential, it is close to the exact center of where it's designated residential by the County. There are no dairy farms within 2 miles, but there are a lot of gravel pits, and why are gravel pits in this area? It's not because it's prime farmland, it's because there is gravel there which does not make for prime soils. The City of Nampa has eased off on wanting to annex south of the lake, and in their initial comments to the County they mentioned it would be compatible with the proposed rezoning and associated development.

Darren Goldberg testified he is the managing member of LGD Ventures, the applicant and owner of the subject property. They are a small family business with roots in Idaho since the 1990's. He provided a history of the property and its farming operations. He purchased the land in November of 2005 and the land was fallow and not being farmed. Over the next three years they could not find a farmer to take on the land due to its difficult soil and grades so at that time they put the water into a water bank. The land continued to be fallow until 2011. Currently the irrigated property is 92% class IV soils which is defined by the USDA as having very severe limitations. While it is currently farmed it has gone in and out of cultivation over the years. The current farmer has fought to get suitable yields all the while using the maximum amount of water for the water right. He shifted crop rotations but still produced marginal yields of crops like sugar beets. In 2021 sugar beet yields on his farm were approximately 30 tons per acres while the average in Idaho is 40.5 per acre. Today he has found the only suitable crop to be silage corn. Current farm operations are difficult due to the property being surrounded on all four sides by homes. Aerial spraying is not allowed. While he understands the County's position of protecting agriculture, the development of this property does not impact that position, in fact it aligns with that position more than any other proposed development in the area by providing rural residential homes in a well-suited location, homes that will support farming operations south of Lake Lowell. We all want sustainable responsible developments that fall in line with the needs of the community and this development provides that. They have no intentions of negatively impacting the nature of the area.

The following people testified in opposition to the request:

Kim Yanecko asked if the Chairman was going to ask if there are any group representatives in the audience, but Commissioner Holton said the rules state those wishing to speak on behalf of a group need to indicate that on the sign-in sheet prior to the start of the hearing.

Claudia Haynes offered testimony on behalf of the Canyon County Alliance for Responsible Growth which includes 65 families. Ms. Haynes wanted to provide a map and a list of the laws that she considers to be very important, and she said the map, which she recently obtained from Nick Miller from IDWR, has to do with wells in the area. Under Idaho law the Board has to accept the

document. Commissioner Holton said the Board set a policy that you have the 20-day notice to submit any written testimony. He said she can describe it if she wants. Ms. Haynes wanted the Commissioners to have the evidence in front of them and she did not mean to quote the law disrespectfully. She was asked to look it up and the law says in a hearing proceeding the presentation of evidence in writing can be submitted. Commissioner Brooks asked if the information is a different map than what is included in the case packet. Ms. Haynes said she just received the information from Nick Miller who had responded to her request about how many applications there are south of Lake Lowell that are applying for water rights and the map he sent consolidates the area and at this time there are 69 applications being asked for directly south of Lake Lowell which affects her subdivision and all of the area south of the lake all the way to the Snake River. Ms. Haynes has not had a chance to share the information with the applicant. Commissioner Holton said that's the reason the Board has had made rules about submitting evidence at the last minute because it produces an unfair hearing and so the Board set a policy to have a 20-day period to lock it in so the applicant and the public can review the information. Ms. Haynes said she has presented to hearing bodies in Canyon County for 23 years and she was not aware of the new policy. She received the information from IDWR after the 20-day deadline. Commissioner Holton said he's not making a judgement call about the material, he is making judgement on the timeliness of the material. Ms. Haynes responded to questions from Commissioner Van Beek. Director Sabrina Minshall also responded to questions from Commissioner Van Beek and said DSD is very aware of the IDWR website but in terms of the relativity of how many applications, there are all sorts of different types of applications so it's apples and oranges.

Kim Yanecko testified that Commissioner Holton had said this area is the pit of no recharge, and it's unfortunate we do not have adequate data on this and she wanted him to know that tomorrow she will meet with Boise State University who was given a grant to do some water studies and potentially it could be covered to be able to do accurate aquifer levels during the summer months which is what we are lacking. She referenced a graph which said it takes 6 ½ months for the aquifer to recharge. Mr. Scanlan references the monitoring wells and he said they are stable or increasing but he fails to mention they are actually lower than the canal so they are not really pertinent to the area in which they are located. This is the only monitoring well that's on the hill and somebody else commented that the wells would have to be pretty deep otherwise the shallow wells do not get property recharge. She said they have two community wells, one is at 460 feet and the other is at 530 feet and two summers ago she had no water coming from her tap. She referenced a map and mentioned it is what Claudia Haynes was trying to reference with the materials she wanted to submit, and if those water rights are granted that Ms. Haynes referred to, it will impact the entire area. It's an internal map prepared by IDWR as a reminder that the wells located within the green-shaded area will be impacted or could be impacted and no data has yet been provided from Noble Farms as had been requested by IDWR. Ms. Yanecko said multiple County departments have made inquiries, and Kate Dahl (a former DSD employee) indicated to a developer that there were problems south of Lake Lowell and referenced a Boise feasibility study. GIS employee Tony Almeida has asked IDWR and the Bureau of Reclamation about the water issues south of Lake Lowell. In an email Nick Miller from IDWR talks about areas of concern and this is one of them and she doesn't know if that information was shared with anybody else. She

said Nick Miller testified during the Taylor Jene hearing before the previous Board and he said you could pump your well dry very easily because the well just doesn't produce enough water and it's a recharge issue. We have transmissivity issues in the area and there is lacking data on whether we have recharge available to the amount that's being drawn during the summer months. IDWR responded in a water right application and called it the SOUTH CANYON COUNTY AREA OF CONCERN. That is concerning to her, is there a report or did they actually identify this area as a problem? The applicant's representatives claim the homes will pull less from the groundwater for residential, but it does not recharge at the deeper aquifer levels, it will only be recharging at the shallow areas, and agriculture is only pulling part of the year not year-round and when they irrigate they provide more of a heavy recharge which is potentially going to reach the deeper aquifers. There is a letter in the file that says there will be 500 gallons per minute required on a hydrant. Because our recharge is so lacking there are no studies as to what that impact will be on a cone of depression, the size of that cone of depression, the width of the cone of depression, and how long it will take the aquifer to recharge and how much will that impact the surrounding wells. The monitoring well is 1.5 miles from the development and IDWR is indicating that is big enough for them to understand the concern. It's either going to be a really big cone of depression or they don't have adequate data for the area where we are specifically talking about. While the comprehensive plan says this area is okay for residential, there is a huge conflict with farming going on out there and is it right for us to add more conflict by increased residential traffic? There is a lack of infrastructure. The applicant is saying the people who drill new wells just need to be aware there are problems and so they are leaving an onus on an unsuspecting person as to when to drill that well. We do not have adequate data to protect the existing homeowners. We might be able to drill/build wells now that are great and will help those that are coming new but that is not helping those who are already there and there is a responsibility for the Board to consider that when it could potentially impact people. She said it has been testified that a half million dollars has already been spent on deepening wells, and re-drilling wells. There are gravel pits in the area, there is a lot of dry land and there are no monitoring wells because it couldn't be farmed, water wasn't adequate and so the next best use is a gravel pit, not a residential use.

Amy Weidner lives south of the subject property. She graduates in May with a Master's Degree in Agricultural Science, integrated resource management. Water and soil are resources. IDWR said that the aquifer is already degraded. The right to farm law is about preservation of farmland. Traditional farming practices where you till the soil every year is a very degrading destructive process. She is learning about regenerative agriculture and how this type of farmland can be turned into extremely productive farmland through regenerative agricultural practices where you can repair the soil. She has prepared a plan she would like to present to the developer, and if the Board denies the case she wants to volunteer her time to help the developer produce a regenerative agricultural plan in order to be financially sound. She said these subdivisions promote city slickers who complain about agriculture, and it creates a cumulative effect of conflict and that is something the right to farm law covers. She wants to see the complaints resolved through regenerative agricultural practices and keeping farmland as it is and maintaining it through county government. She spoke of farmland in east Boise that was converted into subdivisions, and everything went dry. Agricultural land is not the problem, it's the subdivisions that come in and create conflict. Her property was produced in 2001 through a conditional use

permit and all the documents talked about how bad the aquifer was, it was not about the wells; it was about the aquifer. They had a right to farm market disclosure and an acknowledgment on the plat as well as a right to farm restriction on the plat map, and deed restrictions on all 30 lots, and yet she has to meet with an attorney on Monday because people do not stop challenging agriculture. More subdivisions will create more conflict with people complaining about farming.

Jeannie Amen lives one mile south of the subject property. Her husband has been a crop duster for 40 years and they have owned their business since 2012. They lost over 300 acres, and it has cost them \$5,000 to \$30,000 a year in lost revenue just because of subdivisions. Canyon County has a footprint in the world market for seed crops which she is really proud of. They fly for farmers who are seed farmers and 67% of their flight time is at night, part of that is to avoid the pollinators, and to avoid joggers and cars. Two seasons ago they lost their well on July 31. The water was gone, the pump overheated and they had to replace it briefly but could only sustain the house in little bump increments on the pump until they could everything replaced. The farmers brought them water for 3 weeks. They apply at max rate, 10 gallons per acre, so it isn't that much water, but it could have put them out if the farmers hadn't been able to bring water. The roadways are a major concern for safety and for the farmers. The developments in the area have affected farmers adversely. There have been some major issues with the Lewis pivots to the west because of the travel up the hill. There is a lack of adequate infrastructure. She spoke with Nick Miller at IDWR about offering an online well reporting system to fill in the data that's missing because homeowners don't have any place to report their well problems and as far as IDWR is concerned it doesn't exist if they don't have it. There is no record of repairs or problems in the area due to a lack of information, so Mr. Miller is willing to offer that in a portal. Yesterday the legislature passed a law that will charge people with a misdemeanor for willingly turning in false complaints against ag operations. Their business has been spotlighted and shot at, things where the FBI had to get involved. Ms. Amen said we are looking at an ambulance district override levy which was \$10 per \$100,000 and it will bump to \$31 per \$100,000 in value. The Ambulance District Director Michael Stowell has said they are so far behind because of the influx of the number of houses, subdivisions, apartments that are coming in. Sky Ranch Road is ripped up into gravel and the big rollers are shaking her house. There are only two access points around this side of the lake, Highway 55 on the dam road and Highway 45 and Lake Shore, and the highway district is going to meet with ITD about getting that fast-tracked so they can add a stoplight which is something Ms. Amen believes should occur more houses are added. If the developer requests 31 household acre new water rights that is the difference between potable water and non-potable water for irrigation. Is that going to be 15.5 acres that they're requesting new? There is a peninsula on the map that comes up from the south and she heard they may be purchasing that. If that was purchased and pulled out of this plat would that change the lot sizes, average sizes? Pilot safety was a huge concern on the days they lost water because her husband needs to have his head in the cockpit not wondering if they will have water. Water is a huge issue and it remains unanswered.

Beverly Cavazos lives on Deer Flat Road and she said the neighbors do not mean any disrespect to anyone in the room, they are fighting for their homes and it's a very emotional situation. The developers build homes and leave with tons of money in their pockets, but they do not leave any for repair and rejuvenation of the infrastructure. We don't have enough police; we have two-lane

roads and there are areas where the roads cannot be widened so the amount of traffic that 30 homes bring in is estimated to be around 90 trips per day. The developer should be charged a fee for each home they put in to add to the infrastructure. She attended a meeting with IDWR and staff told them developers are saying they are going to irrigate a $\frac{1}{4}$ acre or $\frac{1}{2}$ acre of land up to five acre lots. IDWR has no authority to monitor that, and people can put in swimming pools, or irrigate five acres of grass if they want. It is unlimited use of the water once you get a water right. Because the area is noted as residential does not mean it's appropriate for homes. We all know there is a serious water issue. The water in her home fluctuates between morning, afternoon, and evening and adding more homes will not make the problem go away. The fire district is a volunteer district, and there was an application for fire coverage for a 100-home area at Farner Road and Lewis Lane and it was denied coverage by the fire district because it's a volunteer department and it takes them 17 minutes to respond to a fire. She questions if her fire district will be able to cover the developments that are proposed.

Commissioner Holton said he is interested in updated information from IDWR and he asked if the Board would consider a 30-day continuance and an open period for 20 days to submit new information and reconvene. Commissioner Brooks said he has a question for Mr. Scanlan. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to take a 5-minute recess. (The Board went off the record at 3:19 p.m. and went back on the record at 3:25 p.m.)

Josh Leonard said if the Board is going to continue the hearing to get information from IDWR the applicant wants to defer their rebuttal until after that information comes in so they can speak to it. Commissioner Brooks said he wants to revisit the water right issue that Terry Scanlan brought up and the applicant can decide after that if they want to address the different opinion on water data that is or is not in existence. He asked Mr. Scanlan to revisit his comments on the water right that the applicant would have to apply for if the Board were to approve the application. Commissioner Holton clarified that this will be a point of clarification for a Commissioner, it is not time for rebuttal.

Terry Scanlan said the property has had an existing water right for irrigation from groundwater for 77 acres. The water right has been exercised over the last 10 years for irrigating the property with two center pivot sprinklers. The property does not have a water right for in-home domestic use so the developer will have to apply for a new water right that will seek water for in-home domestic use, the potable use. The right will be to support the 300 gallons per day, per home, and it will be high enough to meet the peak hourly demand of the system which will likely be in the 50-75 gallon per minute range and the average day demand will probably be less than 10 gallons per minute. It will be an application for permit and if it's approved it can go forward, but if it's denied this will be over because they cannot develop a community well system without an approved water right.

Josh Leonard said that would also require the applicant to demonstrate a sufficient amount of water that's there before they can get a new water right for the property. The community well system was not what was originally proposed, the reason it was proposed was to mitigate the fears and concerns of there not being enough water. It's not typically a developer's first choice because

it adds significant expense and maintenance, but it does provide more certainty with regard to the water levels.

Commissioner Brooks asked him to restate what the plan is for the use of the irrigation water right if the application were to be approved and they are not pumping to run two pivots. What is that water use going to be? Mr. Leonard said the use will be for watering lawns and gardens and for fire suppression.

There was discussion regarding the late exhibits, specifically the information referenced by the applicant which was part of prior records. Deputy PA Zach Wesley said that is acceptable as a demonstrative illustration, so maybe we don't accept it as a fact exhibit, but as a demonstrative presentation. Mr. Leonard said he has seen cases in which the court wants to see what the Board saw in the record and because that was presented in a visual form as well as being read in, they are going to want to see that and if the case were to go to court he would make a motion to augment to add it.

Commissioner Holton made a motion to add it as a demonstrative presentation of what they were verbally telling the Board. The motion was seconded by Commissioner Van Beek. Planner Barron said the applicant's PowerPoint presentation will be Exhibit #7, and Mr. Leonard's presentation will be Exhibit #8. Commissioner Holton made a motion to label it as Exhibit #7 and #8. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Holton said the Board needs to decide if it was compelled with the earlier evidence that there is new information that was not submitted in a timely fashion. His concern is to make it fair for everyone, the applicant included, that they have time to review the information if the Board is going to consider a method and means to include it. If not, we can exclude it and just go with the verbal testimony and move forward. He referenced the new information Claudia Haynes received from IDWR and said in his opinion the information is without prejudice, it's just the information the state has collected and put into a report. Commissioner Brooks asked if he wants to accept it just as part of her public testimony? Commissioner Holton said yes, but to do that he would like a continuance to give the public and the applicant time to look at it and continue the hearing for 30 days. He is not comfortable accepting the information today and going into deliberation. Commissioner Brooks said he doesn't feel it's necessary to delay this for one document. Commissioner Van Beek said it still seems unclear what the position is for some of those water resources. Looking at the written testimony, which was a verbatim transcript of the audio testimony, it's difficult to know where to land on that because they conflict. Deputy PA Wesley said if the Board is considering a delay it may be worthwhile to give the applicant a few minutes to look at it now since their professional staff may be able to say whether they need time to look at it and rebut. They could get a copy of it before we continue. Commissioner Brooks believes this will be null and void if IDWR does not find a water permit is acceptable so he would be interested in knowing if that could just be a condition of approval. He doesn't believe we need a 30-day continuance for information the Board could just condition for approval that the applicant has to obtain approval from IDWR for a water right. Commissioner Van Beek said she we are trying to help mitigate for water and infrastructure and we are supposed to locate in the goals and policies areas where that can coexist but there is no teeth in the right to farm act and it doesn't

exclude complaining and farmers having to stop operations. She said we have more damning evidence against the water than we do for it. Discussion ensued regarding whether the Board had enough information to proceed with the hearing today. Commissioner Holton made a motion to proceed with rebuttal testimony. The motion was seconded by Commissioner Brooks and carried unanimously.

Rebuttal testimony was as follows:

Josh Leonard said Commissioner Van Beek made a comment that the Board is trying to put something together and ensure these uses can coexist out there; but that has already happened. A prior Board already decided these uses can coexist in that area when it identified this area as residential on the future land use. That's what everybody relies on, what's written down. Otherwise it's a case-by-case basis without standards and in this instance the standard there is residential. You have to assume the prior Board knew that agriculture existed around this area, although not necessarily on this exact parcel. It is important to call out the lot sizes and how they reflect against either immediately adjacent lot sizes or those that are within a stone's throw of the subject property. Within the notification distance of 600 feet, the median parcel size is 2.16 acres. This is not prime farm ground, it is gravel, soils are not prime, and it is on slight uphill without surface irrigation. It has to pump from a well to make it as productive as it is. It is tough to say the character of the area is agricultural; it is rural, but agriculture is the secondary use to residential in this area. He reviewed highlights from Terry Scanlan's updated report based on the community well arrangement to mitigate the concerns of neighbors: even with individual wells for homes in the area, the subdivision will not have an adverse impact on local groundwater conditions. Residential development at Lewis Heights will not increase groundwater use at the property. Water level monitoring in the area shows no annual declines, although water levels in the vicinity of Lewis Heights may fluctuate on a seasonal basis they are stable in the long-term with no annual declines since the 1970's. There will be no net impact on local groundwater conditions and Lewis Heights will not have a negative impact on local groundwater conditions. To Mr. Leonard's knowledge none of the homes in the area have fire suppression, or at least it wasn't required as a condition of construction. The project adds fire suppression which not only benefits the applicant's homes, but those that are around it. The opposition admitted earlier that the soils on the property would need to be fixed to make the property agriculturally viable, and in this instance the developer has chosen rather than investing the money required to make it agriculturally viable, to develop it. He spoke about the balance of property rights. The applicants rights are natural rights and everyone else's rights are created by statute or by ordinance. The person who owns the property has a greater right over their property. The natural rights are greater and supersede those of the adjacent property owners. There are statutory rights the adjacent landowners have and one of those is that the property won't be a nuisance to them and that they are able to enjoy the use of their own property. Here, the neighbors are asking the Board to give their statutory rights greater weight than those of the applicant who owns the subject property. This proposal meets all of the required findings and conclusions. This property is generally consistent with the comprehensive plan which labels this a residential, and it is more appropriate than the current zoning designation because it's labeled as residential on the future land use map and it makes sense that a residential use would be compatible with existing residential uses.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony with the possibility it will have to be reopened. Commissioner Holton said he wants a continuance so he can study what he's heard and try to connect it to what he has in the packet and then meet with legal to start formulating some findings and conditions. Director Minshall said if after deliberation the Board is interested in approving the application, a recommendation is to set it for hearing to come back with some specific direction or specific discussion on conditions or the development agreement. If the Board wants to deny the case they can beef up some of the findings and come back at a later date. If it wants to consider a development agreement or conditions we should do that at another hearing. Deputy PA Wesley proposes that he and staff work with the developer to get a proposed draft development agreement that can be posted on the website before the next hearing so there can be public comment on the potential conditions. Commissioner Brooks said he wants to scrap the FCO's the P&Z Commission sent to the Board because he thinks there is a legal liability if the Board was go to along with them. There are at least two draft FCO's, and there may be a third because this case has been going on for so long where the FCO's prepared by staff were much more well developed and went through all 8 criteria and he would be more comfortable with those and either saying he agrees or disagrees with each one of them. He is ready to make a decision today. Commissioner Van Beek wants the help of legal and staff to help craft the FCO's. The Board was given a poor set of findings and they failed at some level to provide something that is defensible for either approving or denying the application. She wants more time to craft FCO's. Director Minshall said on page 285 of the report is the staff's recommended draft FCO's for the P&Z Commission in December of 2023 (*Exhibit A under the P&Z staff report addendum*). Staff just needs to know the Board's general decision and which of the criteria are affirmative or negative and then they can bring it back for discussion. Commissioner Brooks said he would be in favor of using those FCO's if the Board continues to a decision today. Commissioner Holton said if the Board wants to approve the request and using those older FCO's we would need to have an updated development agreement as part of the package and that's not in completeness. Planner Barron said on that set of the draft P&Z Commission FCO's there is an attachment "A" that has proposed conditions of a development agreement and she just needs to make sure that it was still noticed as having a development agreement. Commissioner Van Beek said one of the documents says that it will not conform to the Nampa Highway District so how did we get from not conforming to having it conform? Director Minshall said the highway district's last writing said it would have to comply with their standards and conditions for both approaches and it would be a public road system. Commissioner Brooks said it should be enumerated that we are aware that this is a no-go unless IDWR gives a new water right. Deputy PA Zach Wesley said the version of the development agreement predates the idea of the community well so we'll need to add those community conditions including the IDWR approval requirement. Commissioner Holton said this is a change in direction from the P&Z Commission's decision and the Board feels unsupported in their FCO's and so we are going to ask to staff and legal to draft the FCO's and the development agreement over what we have heard and then we will reconvene. Director Minshall said it was noticed was a potential development agreement and if we set it to a date certain we might not need to re-notice the hearing. If the Board does that it could also table the discussion of the preliminary plat to that same day because that wasn't included because the P&Z Commission

denied the plat because there was no rezone so both need to be tabled to a date certain. Commissioner Holton made a motion to continue the hearing to May 1, 2024 at 1:30 p.m. and assign staff and legal to draft the FCO's with the development agreement, and to continue the preliminary plat as well as the zone change. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 4:11 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 15, 2024

No meetings were held this day.

APPROVED CLAIMS

- The Board has approved claim 603775 in the amount of \$2,087.36

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Jenen Ross, documenting removal of specialty pay (no salary change)
- Parker Smith, add CERT team pay
- Tomas Gomez, add CERT team pay
- Cody James Ghighina, add CERT pay
- Cory Ray Kondeff, add CERT team pay
- Nicholas Talbot, remove CERT team pay
- Eric Eskew, equity adjustment
- Amanda Hedrick, transfer back to dispatch
- Mallory J. Loeb, Deputy Coroner, new hire

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Raising Our Bar to be used 4/13/24 and 4/27/24

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- State Street Auto Sales in the amount of \$35,214.00 for Fleet/CCSO (PO #5952)
- Park Place Technologies in the amount of \$5207.88 for the Information Technology department (PO #5983)
- Dell in the amount of \$13,291.20 for the Information Technology department (PO #5982)

- Hess Construction in the amount of \$12,100.00 for the Facilities department (PO #5933)

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 18, 2024

There were no meetings scheduled for today.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 19, 2024

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Craft Lounge to be used 3/28/24.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Rebecca Coulter, Promotion to Fair Assistant Director
- Jeremy Daniel Hawkins, Deputy Sheriff, Inmate Control

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

The Board met today at 9:30 a.m. for a meeting with County attorneys for a legal staff update and to consider action items: Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Clerk Rick Hogaboam (left at 9:42 a.m.), Facilities Director Rick Britton (left at 9:33 a.m.), DSD Director Sabrina Minshall, Elections Office Manager Haley Hicks (left at 9:42 a.m.), JoDee Arnold (left at 9:42 a.m.), Representative from Young Elevator (left at 9:33 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Open Bids for Elevator Modernization Project: One bid was received on March 18, 2024 at 9:55 a.m. from Young Elevator. The bid materials will be forwarded to Director Britton for review.

Consider Declaration and Notice of Sole Source Procurement for ballot printing units from Hart InterCivic, Inc: Clerk Hogaboam explained that the Verity print technology with Hart is the only technology they are aware of that is capable of using the unique identifiers which is elections intention to use. It's a wholistic system that integrates into many of the assets already used by the

elections office. A couple months ago the idea was to acquire more of the Duo units but at this time they would like to move to the print-on-demand options. This initial purchase would be for 20 units in order to see how they operate. Print-on-demand will allow for paper ballots to be hand marked at the polling location. They anticipate having 47 polling locations so not every precinct would have these units but they would put them in the higher volume precincts where they could be put to good use. This will not do away with the Duo units, they will still be deployed as planned but now print-on-demand will be available at 20 of the busiest precincts; they will also be used at the two early voting locations. Clerk Hogaboam spoke more to the benefits of these units including the ability to print absentee ballots, reduced cost compared to the Duo units and that they are isolated units with no connectivity. Commissioner Van Beek made a motion to sign the declaration and notice of sole source procurement to take comment on the record on April 9th at 3:00 p.m. in the Commissioners' meeting room. The motion was seconded by Commissioner Brooks and carried unanimously.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:43 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, DSD Director Sabrina Minshall and COO Greg Rast. Director Minshall left the meeting at 10:11 a.m. The Executive Session concluded at 10:24 a.m. with no decision being called for in open session.

The meeting concluded at 10:24 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER FCOS, DEVELOPMENT AGREEMENT AND ORDINANCE FOR MARK JOHNS, CASE NO. CR2023-0001

The Board met today at 10:30 a.m. to consider the FCOs, development agreement and ordinance for Mark Johns, case no. CR2023-0001. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, DSD Associate Planner Madelyn Vander Veen, DSD Office Manager Jennifer Almeida, GIS Supervisor Tony Almeida, Alan Almeida, Keri Smith, Connie Aebischer and Deputy Clerk Jenen Ross.

Director Minshall feels that due diligence has been done on this file and the documents are ready for Board signatures. Mr. Wesley explained that this case come thru the planning and zoning commission initially as a denial and was then properly noticed as a conditional rezone for the Board hearing. The Board's decision was to overturn the planning and zoning commission's

recommendation and approve the application. In regard to the question as to whether a second hearing was required under LLUPA, Mr. Wesley said there is a bit of disagreement and is subject to interpretation of the law. He has spoken with their attorneys who recommend a second hearing but administratively their directors don't hold a lot of additional hearings. In the research he's done they've discovered that Canyon County may be an outlier in the practice of conducting second hearings and the more common approach is to not have a second hearing unless there is a comprehensive plan change. In the time that Mr. Wesley has worked for the county, the administration of a 2nd hearing has been sporadic. On cases like this where it went from denial at P&Z to approval by the BOCC the county has not consistently held second hearings, many times the FCOs have just been signed. Second hearings would mainly be held on larger cases or if it moved to a denial, and was often at the request of the developer or the applicant to determine conditions if it's an approval. His understanding is that there is some legislation working its way thru to strike this section of the code in order to clear up any confusion. On this particular case, it is his opinion that it would be typical of the county's practice to not have a second hearing which would be defensible in court.

In response to a question from Commissioner Van Beek, Director Minshall reiterated that having a second hearing has not always been consistent so getting some consistency will be helpful. She said Canyon County is one of the few jurisdictions that conducts second hearings even if inconsistently. In this specific case, the proposed conditions – if approved – were in all the documents and discussed in the last hearing. The only nuance to that in terms of policy is that the Board wasn't really overturning P&Z, it's not a decision, it's just a recommendation.

Commissioner Brooks stated he is in favor of moving forward and signing this, he believes that the state statute is pretty clear and there is no comprehensive plan amendment in this case.

Commissioner Holton stated that this was an uncontested hearing, no one showed in opposition and the proposal is to split the property in half in his opinion. He doesn't see the purpose a second hearing would serve.

Commissioner Brooks made a motion to approve and sign the FCOs, development agreement (agreement no. 24-025) and ordinance (ordinance no. 24-001) for Mark Johns, case no. CR2023-0001. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:47 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Brad Holton, Case Manager Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross. Ms. George presented the following cases for consideration:

Case no. 2015-1386: The obligation to the county has been satisfied and release of liens is being requested. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the release of liens and issue a written decision within 30 days.

Case no. 2024-22: This case meets the eligibility criteria for cremation and upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to approve the case.

The meeting concluded at 10:49 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING - REQUEST BY ZION VENTURES, LLC, FOR A CONDITIONAL REZONE FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-C-2" ZONE, CASE NO. CR2023-0008

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Zion Ventures, LLC, for a conditional rezone of a 30.42-acre parcel from an "A" (Agricultural) zone to a "CR-C-2" Zone, Case No. CR2023-0008. The request includes a development agreement limiting the use of an outdoor storage facility for recreational vehicles, campers, boats, trailers, and trucks. The subject property is located at 19933 Midland Blvd., in Caldwell. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, DSD Director Sabrina Minshall, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Dan Lister, Andrea Chester, Kevin Chester, and Deputy Clerk Monica Reeves. Commissioner Van Beek disclosed that she has property located in proximity to this request but it should not affect her ability to make a reasoned decision. Neither Commissioners Brooks nor Holton had any disclosures or declarations to make. The applicant was not present for today's hearing. Andrea Chester and Kevin Chester were in opposition to the request but did not offer testimony. DSD Principal Planner Dan Lister gave the oral staff report. The applicant purchased the property in 2021 and it has available lot split. There is an existing dwelling on the parcel that will be used for a caretaker's office until it's removed for more storage stalls. The development agreement provided will restrict the use to ministorage, RV storage, and a caretaker unit. The property is located within the City of Caldwell impact area and the average lot size within the vicinity is 20.57 acres. The character of the area is predominately agricultural and the parcel and surrounding area still has agricultural uses with best suited soils and are considered prime farmland. Within a one-mile radius there are 22 subdivisions with a total of 1,146 lots which is a .29 acre average lot size. All subdivisions, with the exception of one, is located within the City of Caldwell. The parcel is zoned agricultural, and the properties to the north, west and northeast are zoned M-1 and C-1. In 2003 a conditional use permit was approved for an outdoor storage facility, about 1,500 feet east of the subject property. The 2030 comprehensive plan designates the property as commercial, and the City of Caldwell designates is as highway corridor which includes land that is suitable for a blend of highway-oriented commercial uses, business parks, limited light-industrial uses, educational offices, and high-density residential use. The proposal will not connect to any water or sanitary services. The City of Caldwell's services are 3,000 feet west of the property. The Caldwell Fire District supports the request subject to conditions and they sent a letter addressing fire hydrants on site, which would require city

services. The request will take access off Midland Blvd., a principal arterial. Canyon Highway District No. 4 will require an approach permit at time of development, and they may require a traffic impact study. The Idaho Transportation Department has no concerns. The phased approach of the use will align with the widening of Highway 20-26 scheduled to begin in 2024. The Canyon Soil Conservation District recommends denial due to the area still being in prime farmland. The City of Caldwell recommends denial. The parcel is surrounded by city jurisdiction on all three sides and therefore they request the parcel be annexed into the city. If not, they request it be denied as the requested use is not allowed in the highway corridor designation and may impact future planned mix use development. The City of Nampa sent a letter supporting future plans by the cities in that location. The applicant does not want to annex, and city services are not available. They agreed to conditions that would require them to annex if there is redevelopment of the property, or if water or sanitary services are ever required for that use. On December 21, 2023, the Planning and Zoning Commission recommended the Board deny the conditional rezone request finding that the change is premature and should remain in agricultural use until the city of Caldwell and highway improvements are available. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Commissioner Van Beek supports the recommendation by the P&Z Commission and said the City of Caldwell has asked us not to block their path to providing infrastructure to the requested development that is active in this area. This area has had tremendous growth and she believes the request will have an impact on the area. When Caldwell decides what the highest and best use for the ground is, it should include city services like the other parcels around it. She is opposed to this development as it is inconsistent with what is planned for the area by Caldwell. Commissioner Holton supports the draft FCO's. Commissioner Brooks said he concurs with the comments made by Commissioners Holton and Van Beek, and said there will be a lot of traffic off a two-lane road. It is prime agricultural ground surrounded by other city agricultural ground and the absence of a particular group or people associated with extra concern for the protection of that ground not being here and providing feedback is noted because it seems like even though 5% of the growth is in the County the cities get a free pass at chewing up the best ground. He concurs with the P&Z Commission's recommended denial. Commissioner Holton said it's not the highest use for the property and it's a current use of high production agricultural ground. This proposal is not the right choice right now, but perhaps at a distant point in the future. Commissioner Van Beek made a motion to deny the request based on the FCO's, with the addition of reasons for denial on item no. 5 due to insufficient water, sewer, and irrigation, and item no. 6 that the streets will be impacted and it's an insufficient intersection and roadway to handle the volume of anticipated traffic. The motion was seconded by Commissioner Brooks and carried unanimously. The FCO's will be brought back at a later date. The hearing concluded at 2:02 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED CLAIMS

- The Board has approved claims 604148 to 604186 in the amount of \$79,121.26
- The Board has approved claims 604187 to 604221 in the amount of \$33,619.00
- The Board has approved claims 603743 to 603774 in the amount of \$42,858.77
- The Board has approved claim 603776 in the amount of \$35,214.00

APPROVED MARCH 22, 2024 PAYROLL

- The Board approved the March 22, 2024 payroll in the amount of \$2,285,560.17

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Kendall Ford in the amount of \$38,000.00 for the Fleet department (PO #5953)

PUBLIC MEETING FOR DSD STAFF TO REVIEW AN ORDINANCE OF CANYON COUNTY, IDAHO, AMENDING CHAPTER 1, ARTICLE 17: LAND USE/LAND DIVISION HEARING PROCEDURES; OF CANYON COUNTY CODE OF ORDINANCES; AND SEVERABILITY CLAUSES; AND AN EFFECTIVE DATE

The Board met today at 9:32 a.m. for a public meeting for DSD staff to review an ordinance of Canyon County, Idaho, amending chapter 1, article 17: land use/land division hearing procedures; of Canyon County code of ordinances; and severability clauses; and an effective date. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Planning Supervisor Carl Anderson, COO Greg Rast, Keri Smith, Kim Yanecko, Claudia Haynes, George Crookham, David Delihant, Pam Wagoner, JoDee Arnold, Ron Amaral, Wayne Rundell, Gerri Smith, Ann Delgado, John Hoadley and other interested community members, Erin Banks-Rusby with the Idaho Press and Deputy Clerk Jenen Ross.

Director Minshall explained the red-line version of the ordinance is now available for public review and there is a written public comment period that is currently up on the website. Following the comment period, comments will be reviewed and any necessary revisions will be made. In about a month, the ordinance will be brought back to the Board for consideration of adoption or changes. She said that about a year ago conversations started with this Board on adjustments that could be made to processes in order to keep things streamlined and ensuring cases are continuing to move thru the hearing process. She spoke about some of the ways they've worked to assure transparency and accessibility of information by posting both P&Z and BOCC hearing information to the website where the hearing packet with exhibits and comment and/or exhibit submission deadlines can be found. Some of the changes they've made are to the timelines and trying to find the right balance in order to prepare the hearing packets and allow time for review. Often in hearings at both P&Z and before the Board, there would be verbal testimony but a packet of information would also be submitted which did not allow time for it to be properly reviewed.

Mr. Wesley reviewed the document with the Board as follows:

- ***Section 01-17-05: Acceptance of Application for Hearing***

The goal is to ensure the application is complete and that it is the same between both P&Z and the BOCC. This section provides the ordinance basis for the staff to conduct a review and confirm the application is complete; if the application is not complete it allows for DSD staff to notify the applicant of missing information and if they don't provide the information within 90-days the Director can make the decision on whether or not the application can proceed or if it needs to be denied. Provides timelines and an appeal period.

- ***Section 01-17-07: Exhibits Presented at Hearing***

This addresses the 20-day timeline. LLUPA requires that the Board or P&Z have a public hearing before approving or denying an application. For a special use or conditional use permit, the P&Z Commission is the governing body and the decision can be appealed to the Board of County Commissioners; for a comprehensive plan update or a rezone/conditional rezone the P&Z Commission is the initial body who will make a recommendation to the Board of County Commissioners and the Board holds a second public hearing on every rezone or comprehensive plan amendment case. LLUPA requires a Board to adopt a public hearing procedure which includes testimony time allotment, who will start, rebuttal time allotment and any other items which are part of the normal hearing procedure. Anything submitted prior to the 20-day deadline will automatically be part of the record and included in the hearing packet and part of the final written record and be available in advance for the hearing body to review. There are no guidelines in LLUPA regarding these timelines but a survey has been done by DSD/legal and it appears this varies by jurisdiction.

- ***Section 01-17-09: Conduct of the Hearing***

This section provides the hearing order – appellant, neutral, then opposition testimony, followed by rebuttal by the applicant. The current ordinance states that the staff report will be presented first and this revision will allow for the staff report to be presented at a time that is the discretion of the hearing body. Additionally, section 2 states that any presentations shall be provided no later than 20-days prior to the hearing.

- ***Section 01-17-11: The Record***

This section is where a lot of the change has occurred, it has a lot of carryover from the prior section about the staff report automatically becoming part of the record, all verbal testimony becoming part of the record and now has a built in a remand procedure; this was lacking in the ordinance. The purpose is to ensure that the planning and zoning commission or the director has all of the information that is in the final application to review before the Board receives it. The Board would have a recommendation that is tied to what the application and not something that is completely different or is a new project and no major changes have been made to the request. This would allow the Board, prior to taking any public testimony, to remand an application for appeal back to the initial hearing body. That remand can be done if the record is incomplete, if the

application has had substantial additions, amendments or modifications from the application presented to the initial hearing body or if procedural steps that are required were not followed. This will also allow the board to set the terms of the remand; the Board can be specific in what they would like the initial hearing body to rehear and ask for a recommendation on a specific portion. All the evidence would be part of the record and new findings would need to be issued. Following the hearing, the Board will have the discretion to close the record, leave the record open or continue the hearing.

Director Minshall said there have been just a couple spelling corrections made to the document and that it can be found on the Commissioners' agenda page of the website and on the DSD land use hearing page. In this draft version, the underlined portion is the new information and the strikethrough is the current version. A review of the timeline was provided as follows, written public comment will begin at the conclusion of today's meeting and will be accepted thru April 10th at 5:00 p.m. Comments can be emailed to Director Minshall or sent via USPS to DSD at her attention. On April 18th the Board will conduct another meeting (not hearing) to review and consider the ordinance.

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

COMMUNITY INPUT MEETING

The Board met at 6:00 p.m. for a community input meeting where the public was invited to present comments and ask questions of the Board. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Rick Hogaboam, COO Greg Rast, Communications Specialist Chad Thompson, Ambulance District Director Michael Stowell, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Keri Smith, Linda Steele, Wayne Rundall, John Hoadley, George Crookham, Connie Lou Aebischer, David Delihant, Steve Burton, Claudia Haynes, Anne Delgado, Linda Watts, Jacqui True, Theresa Denham, Chris Jagggers, Erin Banks Rusby from the Idaho Press, Amy Weidner, Kim Yanecko, Ron Amarel, Pam Wagoner, Larry Olmsted, Hubert Osborne, Debi Yeager, Michelle Navarro, Loni Parry, Robin Carr, Joseph Sullivan, Marty Denham, Angela Kehrer, Gerri Smith, Marty Denham, Cheryl Palange, Steve Palange, Sherry Jetton, Josh Jetton, Shae Reberry, Beth Carico, other interested citizens, and Deputy Clerk Monica Reeves. The following people offered comments:

Keri Smith, the owner of Treasure Valley Planning Idaho, spoke about the ordinance the Board has been working on much of which is related to Idaho Code, Section 67-6534 regarding the adoption of hearing procedures. The governing board shall, by ordinance or resolution, adopt procedures for the conduct of public hearings. Public hearings are the opportunity for the public to be heard and so this is one of those statements where you shall have these procedures specifically related to the conduct at the hearing. At a minimum such hearing procedures shall provide an opportunity for all affected persons to present and rebut evidence, and it's very easy as a decisionmaker to

allow the public an opportunity to provide evidence at a hearing. Developers have a year plus to put together their application packets, but the community has a very limited amount of time and oftentimes they are confused by the process. She said If the Board gets overwhelmed with information during the hearing they can continue it to a later date and allow time for staff to evaluate the information provided. It allows for due process and for the public to have a voice and to provide evidence in which the Board makes decisions on.

Wayne Rundall lives in the Sunnyslope area and spoke about the amendments to the public hearing procedures. He appreciates the Board's frustration at encountering testimony at the last moment but said the change to limit public evidence to 20 days prior to the hearing has several unintended consequences. Many people do not have the ability to continuously monitor the County's website in order to find hearings that may have an impact on them or their neighborhoods, and notifications placed in the newspaper will inform only a small number of residents and it's not geographically targeted. Public records request often take longer than one week when it involves the Sheriff's Office or other agencies such as the Idaho Dept. of Water Resources, Southwest District Health, and Canyon Highway District and while the intent is to post road signs and submit hearing notices to the newspaper within five days of the hearing being scheduled he thinks the law allows for road signage to be posted as little as 7 days prior to a hearing and it allows for newspaper notification to be placed 15 days prior. County residents are generally informed of potential impactful hearings through word of mouth further delaying their ability to accumulate and submit evidence for or against. He said the County has made strides enabling residents to review application details through the websites, however, they have to navigate a complicated process with little direction or guidance. He recommends the following:

- The County should use the PulsePoint app to notify residents of upcoming hearings.
- The deadline of 20 days prior to an administrative hearing is required, but maybe we could change the 41-day process to a 61-day process and give those 20 days back to the residents to collect their information.
- Allow for brief exhibits that are specific to providing evidence related to hearing criteria such as photographs or PowerPoint presentations within 3 days of the hearing and at the hearing you can identify whether it's applicable or appropriate to accept.
- Ensure all policies, procedures, and ordinances reflect that the notices, road signage, and newspaper submissions are performed within the 5 days of the hearing being scheduled.

John Hoadley, who lives west of Caldwell, spoke about the cause and effects of how the seed industry looks at land use applications and said all aspects of the negative effects should be considered. He appreciates wanting to streamline the process but said the proposed ordinance amendments discussed this morning are concerning as it pertains to what evidence is disregarded.

George Crookham owns several properties throughout the County, and he would like the Board to be more respectful of their constituents and the democratic process, but this is not what was witnessed at the ordinance meeting this morning nor in previous hearings. He said pontificating that constituents are people being misled and misinformed by entities is disrespectful of their will,

their intelligence, and their right to voice their opinion in any manner even if it's in a form letter format. Stating that the Board will not be swayed by a unified group with common concerns regardless of the number of comments received is undemocratic and it's as if the Board is functioning in the vacuum of confirmation bias by only listening to what meets its bias and perspective. Confirmation bias is a debilitating mindset, it does not serve the constituents and it destroys public trust. Mr. Crookham asked the Board to hold more public hearings and meetings which will help build trust and transparency. He questioned why so few meetings occur on Mondays and Fridays.

Connie Lou Aebischer lives west of Caldwell and said her background in helping write policies for nonprofit humanitarian organizations across the globe she recognizes the need to weigh words carefully. Although people may have the best intentions and integrity, there will be another DSD Director and there will be new Commissioners and not all of them will have the same level of integrity that those in the room possess. She personally witnessed 5 different directors in her 9 years with the Development Services Department and she witnessed a wide variety of integrity and lack thereof in the directors during her time in the department. We must not create a situation where someone can be swayed to abuse their power following the ordinances and policies that are being created right now in regards to the ordinance changes posted on the website. For instance, the language in 01-17-19(1) has the potential to become a weapon used to sway a hearing to one side and to abuse the power given to the elected officials. We must look at the words we choose very carefully and not set up someone to have the opportunity to abuse that power of the office with the ordinance. She appreciates the Board taking public input because we all come from a variety of different backgrounds and we see things from different perspectives, and working together we can make a positive change for the betterment of Canyon County. The language proposed in 01-17-19(1) as it reads greatly limits freedom of speech as it gives total control of what is said and by whom to the Commissioners as they deem necessary. What is the criteria for choosing to limit testimony? How will criteria be applied to both the applicant and to the opposition so that it is equitable and not perceived as bias?

David Delihant lives in Wilder and is new to the area and is still learning how the processes and system operate. He asked Commissioner Holton if he intends to run for the office of Mayor of Greenleaf again? Commissioner Brooks said any questions that are asked tonight will be answered and posted on the 2C Communications page of the website, and the Board will send an email to everyone who provided their email address tonight and let them know the answers have been posted that way we won't get into a back-and-forth dialogue tonight.

Steve Burton lives in the northeast corner of Canyon County, and he is glad to hear there will be answers to the questions that have been asked. He referenced the email he sent to the Board which contained several questions, and he thanked the Board and the Clerk's Office for posting the adopted budget. He asked if there will be public notification for this year's budget? Will the meeting dates be posted, and can citizens get advance notice to attend the meetings? He wants to make sure the August budget meeting will be a public hearing and that constituents will have time to provide input. He said there is a big increase in the budget for ARPA funds and said people have different opinions on whether we should be using COVID funds, and he asked why we are

“diving” into those federal funds now? He would like the details on the \$26 million Sheriff’s administration building project. He would also like information on the need for and the duties of a risk and safety manager. Mr. Burton is concerned about the fund balance, the reserve. A couple years ago the Board elected to use some of that reserve and decrease the request for funding and it made the constituents happy because there was an abundance in reserve, and it was dropped to 45%. Where are we going with the new proposed budget, what percentage are we going to be? He is comfortable with 30%-35%, but with this new request are we going up to 70%-75%? He is not sure the constituents are going to understand how we are going to go to a 30% increase in the next fiscal year. Mr. Burton suggests the Board drop the 2024 request down to \$43.5 million and that would keep us at the same percentage we currently have but it would still increase the funds. What will happen with the reserve when you do that?

Claudia Haynes lives in the southern portion of the County and her comments were about the hearing procedures. She said many times the Chairman asks the applicant if they have a representative who will speak on their behalf, but he does not ask if the opposition has a group representative. Sometimes there are multiple groups at a land use hearing so she would like the Chairman to ask if there is a representative for the opposition and to consider allotting time to more than one representative when they can prove they are representing a group of people. There are laws that are in place before the new hearing procedures ordinance will take effect and she wants to know if the Board is going to follow the existing laws that pertain to submitting evidence if it is just 1-2 pages? At a recent land use hearing she tried to submit a one-page document from a state agency after the submission deadline had passed and she was confused as to when she could submit it and was surprised at the way she was treated when trying to submit the document.

Anne Delgado lives in the Sunnyslope area, and she thanked the Commissioners for their time and service. She is concerned about the outdated public notification distance beyond 300-600 feet of impact because it limits residents beyond that distance for public hearing notifications of new developments. If they are new to the area people will not know what impact has been made until the development has been built or an approval process is in place. A good example of this was during the amphitheater proposal where there was limitation in how people in the rural areas were notified. She spoke about safety issues with the property posting signs where it’s difficult for people to stop and get a flyer due to the underdeveloped two-lane roads with increased heavy traffic. She likes the plans to improve the County’s website but said it’s time to include the ability to push out information via an automated process for text notifications, emails, and postcards to better serve all Canyon County residents by improving communication about hearings and the ongoing changes. Links could be included in texts or emails to make it easy for the public to navigate back to the landing page for hearings information, therefore allowing more two-way communication. It could also be included as part of the 41-day process and the day 1 through day 5 that’s in the public hearing application process. Canyon County could improve its transparency with communication to its citizens to continue to build trust with the public and use technology as a tool so the public can be informed about required timelines so they can be prepared for the hearings.

Theresa Denham lives in Middleton and is concerned about the way in which the impact areas and the agricultural areas have been handled. She doesn't think people recognize the economic value and stability agriculture brings to the region. In October of 2021 she became aware the County was working on a comprehensive plan for 2030 and she spoke to a Commissioner and some planners about the need for more time and input. The County heard from thousands of people, 86% of them want agriculture and they want an agricultural lifestyle. There was a lot of input from the Farm Trust, citizens, and other stakeholders and the 2030 comprehensive plan was finally ratified in October of 2021. She is looking at policies that are being put in place either through legislative policies at the direction of the some of the members here, and she wants to know how the implementation is coming along and if we are moving forward towards the 2030 plan as it was ratified. Because of the problems she has seen over the past 6 months with the County's hearing processes and failure to recognize the plan, she wrote RS 31130 which was a plan that would allow impact area residents to have more control as far as voting. They could vote for the city councils that are controlling within the area of impact and this plan went through the attorney general and it was proven that it was constitutional. One of the Commissioners wrote a request to Senator Lakey's office stating the RS was unconstitutional and was bad for the people without speaking to Ms. Denham or others despite invitations to do so and she finds that unacceptable.

Chris Jagers lives northeast of Middleton and is concerned with the timeline and process for filing land use applications in the Development Services Department. According to DSD, there are 144 active public hearing cases, and his is one of them. He submitted a completed application at the beginning of the public hearing process implemented by DSD and they worked through the concerns staff had and began the process to modify the request to something that was agreeable to staff and his case has sat for nearly one year. His representative was informed that it's likely his application will continue to sit unreviewed for another 4-5 months. It is his understanding that DSD is processing conditional use permit applications with priority over small applications like his rezone request where he has one parcel but would like to have two.

Amy Weidner lives south of Lake Lowell, an area she said Commissioner Holton has referred to as the "pit of no recharge" where there are water problems, and an area where Commissioner Brooks did not choose to buy a home because of the water problems. She heard a disturbing quote by Commissioner Van Beek who said, "If you can't read it into the record then it doesn't belong in the record." Ms. Weidner said sometimes during hearings, you have newly acquired information from different agencies that may require a map or a graph that a layperson cannot explain or interpret in words in 3 minutes. Not everyone has the ability to speak at public meetings and not everyone understands the processes. They are citizens and they matter and everything they do matters, and their resident voices should hold more weight than developers. Not everyone is able to attend hearings in the afternoons, so she cautioned the Board not to reduce the ability for people to submit information. She agrees with the comments made by Theresa Denham regarding the 2030 comprehensive plan and the preservation of agriculture. She believes the area is being destroyed by development, and is concerned about the response times of law enforcement in the area due to the Sheriff's Office being severely understaffed.

Kim Yanecko lives south of Lake Lowell and she wanted to discuss the property postings that have not yet been considered under the new ordinance. The public hearing application process does not state when the site posting will occur so the residents are not able to plan ahead to know when to let people watch the posting. There is an assumption that people will see the sign immediately and/or will drive by the property, but in rural areas people try to get to better roadways that connect to major highways so they are not going inland and are missing the property postings. People may not understand the timeline to present evidence or provide written testimony because they do not understand the convoluted process. If they need to get information it can take 3-10 days to fulfill a response to a public records request and once received it takes time to review and potentially prepare response. Ms. Yanecko represents a group of 120+ people called The Posse and they knew a hearing was coming so they put 200 flyers in mailboxes in the area and held the meeting with 50 people in attendance and most were not aware of the posting until she talked about it at the meeting because they do not travel that area. Mailed notifications should go beyond 600 feet and when there is spot zoning that's occurring and the County needs to consider everybody in the HOAs. Not everyone can attend hearings in-person and not everyone is comfortable giving oral testimony. At this morning's meeting one of the Commissioners commented about not liking form letters but she said people are not informed on the process and so why should they have to reinvent the wheel? In her case, people asked her to put together some information and if they agree with it they will either add to it or they will sign it. People agreed with the information she presented and they presented it to the Board. She asked the Board not to discredit that because she took the time to do the investigation and provided the information to the public so they could be informed. The public is here as advocates, not as adversaries.

Ron Amarel with R & L Consulting is in the vegetable seed business and he supports agriculture. After this morning's meeting on the proposed ordinance, a Commissioner talked about the duplication of emails. If his neighbor has a concern and he agrees with their concern there is no reason for him to reinvent the wheel, he would forward it on. You can have one letter or many, and he hopes many means more to the Board. He recognizes there can be misunderstandings but he wants the comment from this morning addressed. Mr. Amarel asked if the Board is thinking about the open meeting law strategy, and he said there could be better communication from the Board. Additionally, the Board should utilize the 5 days a week for meetings, instead of 3 days a week. He said the rules for providing information to the Board need to be very clear.

Pam Wagoner lives in north Caldwell and she serves on the board of the Middleton School District and her comments were about property taxes. Last year in the spirit of property tax relief our legislative body created a tax relief program and that was to help school districts as well, and school districts are limited in how they can receive their funds. She appreciates the efforts to be transparent but questioned why taxpayers were given a 30% increase on their tax bill when nobody was going to notice because they got property tax relief from the state? She encouraged the Board to consider the property taxpayers of Canyon County this next year. She agrees with Steve Burton's comments about the budget, maybe not \$16 million dollars' worth. She said there has been some concern about the Prosecuting Attorney and said according to Idaho Code, Section 31-2607, he would be considered the advisor of the County Commissioners and it has come to her

attention that the Board is choosing to use outside legal counsel which costs taxpayers more money. She invited the Board to use the elected official that the taxpayers chose. Commissioner Van Beek said the rules of this evening's meeting asked people not to discuss elected officials. Mrs. Wagoner said she wants the Board to use tax dollars used more wisely.

Larry Olmsted lives in south Nampa and he said the Board has a really difficult job and appreciates that they have made themselves available. He is aware of some of the things the Board has worked on such as the compensation system, staffing, and doing a deep dive on the budget and he thanked them for doing a professional job. He wants the Board to work on impact fees. For five years the Board has said they working on impact fees, but we are further away then we have ever been and it's a mess. He has heard that in the last five years we have lost \$12 million because we haven't had impact fees, and he's heard we are losing \$3 million this year. Taxpayers are having to pay for the people who are coming in when they are the ones who should be paying impact fees. Impact fees help development pay for itself.

Hubert Osborne lives in Nampa and he sits on the City of Nampa's impact fee committee and he said there has been a discrepancy in the way fees have been collected. The people outside the city limits are paying a lesser amount than people inside the city limits and this is not what any of us asked for and it was not what was passed by the Nampa City Council. There has been a buck passing. The fire district impact fee for Nampa residents who live in the adopted fire district is \$1,631, up from \$1,567 as of July 1, 2023. This does not cover industrial but similar rate raises apply and that was from \$560, which is what the fire districts outside city limits are paying. This is unfair and he requests an immediate amendment to county code to allow what has been passed by the Nampa Impact Fee Committee and the Nampa City Council and what they thought was being assessed. He said a DSD employee told him until there is an ordinance update requested or applied for the fees are as shown in the County ordinance, which is 3-4 years old. It would be simple to amend the ordinance.

Loni Parry lives in Caldwell and he believes the Board has done a great job. He pushed very hard to get a new jail built, and he pushed for the protection of agricultural areas, and he has pushed for public transit. He is very concerned that we keep pushing forward because these are things we need badly. Additionally, he supports impact fees.

Robin Carr lives in Middleton and her comments addressed the need for an animal shelter that includes all the companion animals and not just dogs. A private nonprofit can only do some much and they are just taking the dogs, but we need a shelter for dogs and cats. Currently people have nowhere to take a cat.

Gerri Smith lives in Sunnyslope and she has been following the plan to update/streamline the hearing process and she would think state law allowing testimony and evidence in whatever form would be something the Board would support rather than limit. Why make it more difficult for constituents to participate? At this morning's meeting a Commissioner said they do not want a surprise on a USB flash drive, but Ms. Smith said she doubts people come to hearings not wanting to give pertinent information. She spoke of the challenges citizens face in trying to get information

about land use hearings and said the County's notification system is flawed with mailed notifications not providing enough notice for people to gather information. She is concerned that DSD closes on certain days and citizens have to make appointments to see staff. She thanked DSD staff because they tried to help the citizens. She is disappointed in two of the three Commissioners who she believes have chastised and criticized her for having sat through meetings. How else are citizens supposed to know what the Board is doing if they don't attend meetings? Senior citizens do not use the internet because it's not easy for them and it's discrimination if the only source of information is a website. The 20-day timeline is not enough time for citizens to gather and present information. Her prayer is the Board will work with the 2030 comprehensive plan and protect these places so that constituents don't have to come to public hearings all the time.

Marty Denham said he finds that people are running from something or running to something, but in the case of Canyon County what he finds is people are running from "megapolises" that are crime-ridden, crowded, and overtaxed and they are coming here to the beauty and wonder of this County. He said 86% of the County loves the rural areas and they want it to stay as-is and he agrees with comments made tonight about preserving the comprehensive plan. We are in danger of losing what we have, it's special and it is important and it is why so many came people here and it's his opinion there are certain city managers with their own agendas and they "cook up" developer agreements that the public cannot see. They'll spend 2 years on something but the citizens only get 2 weeks' notice to submit testimony and that is not fair. It leads to enclaves and hostile annexation and spot zoning and the next thing you know, especially with Senator Lakey's recent bill, developers drive away with a profit from building houses and the residents get stuck with bond measures and increased taxes. With the "cooked up" developer agreements they bypass state code, Title 67-6805, the procurement by cities for public works, but he has witnessed developer agreements cooking up traffic lights, roads, thoroughfares, lift stations, etc., in quid pro quo status in violation of Title 67 and those things skate through the planning and zoning commissions and city councils, but he hopes they do not escape the Board's attention because that's not following the law. He said property rights is a cult religion, you cannot do whatever you want, and the Board can say no and he's asking them to do that and to honor the comprehensive plan. Mr. Denham believes hearing notices are wholly and completely inadequate and the notification area should be expanded beyond 600 feet and include the whole community because it affects roads, sewer, and schools.

Cheryl Palange offered comments about the challenges with the notification process and the need to expand the notification area beyond 600 feet. She lives across the street from a proposed development but did not receive a hearing notice by mail. She asked for one and received it 8 days before the hearing. Newspaper subscriptions have declined from 60 million in the 2000s to 20 million, no one reads the newspaper anymore. Hopefully the County's communications specialist can help find a way to communicate in a way where people access the information versus having to pull the information because she doesn't have time to monitor websites. Regarding the road signs, the one near her house is in a 55 mph zone on a two-lane road and she doesn't feel safe stopping to pick up a flyer. The County should do something electronic that's consistent with 2024 and not 1940. It should be fair and balanced - giving both sides a chance to speak both sides a chance to speak. She witnessed at recent hearings at the P&Z Commission that the applicant

had support from staff and it was like they were being cheered on and their presentations were being displayed on the monitors, but none of that was applicable to the anyone in the opposition and they could not get any visual support, they had to do it themselves as regular citizens. She would have liked the ability to send a PowerPoint and have the same courtesy extended to her.

Sherry Jetton lives in Wilder and she said changing the deadline for people to submit comments will impact the community. When Pickett Auction went in the sign was posted after the letters were supposed to be submitted and the only way you could be heard was in person, which interferes with most people's work schedules. She asked the Board to consider this before making it harder for the community by changing the ordinance.

Shae Reberry is a resident of Ada County and was asked to speak tonight in the absence of two Canyon County residents regarding the future of animals in Canyon County. She is in rescue and is an administrator of multiple Facebook groups involving getting animals home in a timely fashion if an owner isn't found quickly. She is a fourth generation Idahoan and has been involved in animal rescues for 10 years and she agrees with the comments offered by Robin Carr. We need a new shelter that functions like a shelter and not a rescue. She has worked with many people at West Valley Humane Society and unfortunately, it's not working. Animals are being stolen and rehomed pretty quickly after being found and that's because people do not have faith in the shelter in Canyon County. Her weekends are busy on Facebook trying to impede dogs disappearing because Nampa, Caldwell, and Canyon County animal control aren't on. Occasionally, somebody is on call but there is nowhere for the animals to go on the weekends because the shelter is closed on Sunday and are only open part of the day on Saturday. The system with the current shelter has been broken since COVID started and they closed their doors to the public so it's very difficult to get animals in there. Cats are seemingly not welcome unless you are an owner surrendering your cat. Birds, chickens, pigs, and reptiles are found in Canyon County and they all need a place to go. Ms. Reberry works closely with some rescues and said they are inundated with animals they cannot take; people expect rescues to hold the strays and they can't do it so we need a new shelter.

Following the comments, Commissioner Van Beek thanked everyone for being here and she spoke about how the community should be able to touch local government. No Board action was required or taken. Responses to tonight's questions will be posted on the County's website. The meeting concluded at 7:13 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 21, 2024

FILE IN MINUTES

The Board filed the Treasurer's monthly report for February 2024 in today's minutes.

APPROVED FEBRUARY 2024 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of January 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.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$16,104.64 for the Information Technology department (PO #5979)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Norma Trujillo, documenting removal of specialty pay (no salary change)
- Brandon Black, documenting removal of specialty pay (no salary change)
- Jenna Raino, PT Interpretive Specialist
- Mark Stradley, PT Interpretive Specialist
- Kristin Lawrence, PT Interpretive Specialist

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

The Board met today at 9:40 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley, Cpt. Ray Talbot (left at 9:45 a.m.), Cpl. Darin Freiburghaus (left at 9:45 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing E-Payment Services Agreement with Point & Pay, LLC.: Cpt. Talbot explained that this service has been used for 10+ years but with this updated agreement Point & Pay will provide new card readers at no cost, it brings the DMV closer to compliance with ITD standards on how credit card payments are processed, allows for the fee to be waived on charges under \$10, a dedicated technical support person and assurances on their network stability. Today's agreement will extend the contract by 3 years. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the e-payment services agreement with Point & Pay, LLC (agreement no. 24-026).

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 9:46 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to

communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley and COO Greg Rast. The Executive Session concluded at 10:09 a.m. with no decision being called for in open session. The meeting concluded at 10:09 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 22, 2024

No meetings were held this day.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 25, 2024

APPROVED CLAIMS

- The Board has approved claims 603854 to 603886 in the amount of \$24,886.14
- The Board has approved claims 603932 to 603985 in the amount of \$52,849.11
- The Board has approved claims 604026 to 604072 in the amount of \$18,424.81
- The Board has approved claims 603986 to 604025 in the amount of \$47,877.32
- The Board has approved claims 603777 to 603809 in the amount of \$15,686.06
- The Board has approved claims 603810 to 603853 in the amount of \$93,071.09
- The Board has approved claims 603887 to 603931 in the amount of \$288,189.19
- The Board has approved claims 604073 to 604119 in the amount of \$557,866.25
- The Board has approved claims 604120 to 604147 in the amount of \$64,543.44

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Richard Friddle, documenting removal of specialty pay (incorporated into base pay)
- Chet Teats, documenting removal of specialty pay (incorporated into base pay)
- Leon Baguley, documenting removal of specialty pay (incorporated into base pay)
- Randy Hagler, hazardous waste screener/heavy equipment operator (rehire)
- Lea Durfee, Enterprise fund employee adjustment

- Eric Eskew, Enterprise fund employee adjustment
- John Vietti, Enterprise fund employee adjustment
- Homero DeLos Reyes, Enterprise fund employee adjustment
- Jaycob Rush, Remove CERT pay
- Shawn Parker, CCSO transfer
- Nicholas Talbot, CCSO transfer
- Tanner Beiker, CCSO transfer
- Maddie Bryce Cathelyn, Emergency Communications Officer, new hire
- JoLynn Thweatt, Assessor GIS Analyst
- Lucy Lanning, temporary assignment to elections thru 5/31/24
- Mike Cowan, documenting removal of specialty pay (incorporated into base pay)
- Kevin Sorensen, documenting removal of specialty pay (incorporated into base pay)
- Darryl Speiser, documenting removal of specialty pay (incorporated into base pay)
- Cassandra Bertram, documenting removal of specialty pay (incorporated into base pay)
- Victoria Hampton, documenting removal of specialty pay (incorporated into base pay)
- Amber Smith, documenting removal of specialty pay (incorporated into base pay)
- Erin Bullard, documenting removal of specialty pay (incorporated into base pay)
- James West, documenting removal of specialty pay (incorporated into base pay)
- Emily Garcia, Deputy Public Defender I, Rehire
- Melissa Tucker, Banking and Finance Manager, new hire

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Sun Belt in the amount of \$9850.00 for the Facilities department (PO #5932)
- Dell in the amount of \$8911.27 for the Information Technology department (PO #5984)
- Hanson Janitorial in the amount of \$16,608.00 for the Sheriff's Office (PO #5838)

TREASURE VALLEY PARTNERSHIP MEETING

Canyon County hosted this month's Treasure Valley Partnership luncheon meeting. Although a Board majority attended and participated, this was not a Commissioner meeting. There were no motions, action items or Board direction entertained or given.

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 26, 2024

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Facilities Director Rick Britton (left at 9:35 a.m.), Interim HR Director Rich Soto, Solid Waste Director David Loper (left at 9:42 a.m.), Landfill Operations Manager Daniel Pecunia (left at 9:42 a.m.), Sr. Administrative Specialist Debbie Jenks (left at 9:42 a.m.), COO Greg Rast, Hubert Osborne (left at 9:46 a.m.) and Deputy Clerk Jenen Ross.

Consider Bid Award Notification for Elevator Modernization Project: Last week one bid was received for this project from Young Elevator. Included in the bid were alternative options, one of which is a battery lowering device at an additional cost of \$3000 per elevator. In the event of a power outage, the device will lower the car to the first floor for safe evacuation. Mr. Klaas will draft a revised letter to reflect the addition of *Alternate #1* from the bid. Commissioner Brooks made a motion to approve and sign the bid award for the elevator modernization project as presented with the addition of alternate #1. Commissioner Holton noted that the Board is approving this but the documents will be brought back to be signed administratively. The motion was seconded by Commissioner Van Beek and carried unanimously. A copy of the letter is on file with this day's minutes.

Public Hearing to Receive Public Comment Regarding the Increase of Tipping Fees at the Pickles Butte Sanitary Landfill: No written comments were received nor did anyone attend the hearing to offer comments. The new fees will be implemented at the start of FY25 (October 1, 2024). Legal will draft a resolution for consideration at a future legal staff meeting.

Commissioner Holton asked about an issue in Parma regarding ag exemption definition. Mr. Ericson said Mr. Wesley met with DSD recently and is working to get advice back to them on how it should be handled.

Commissioner Holton also asked about a billing that was received from a constituent for a floodplain issue that has now been resolved. He believes payment for this claim should come from the tort fund. Zach Wesley is also involved in this and legal will find an answer for the Board.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:46 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. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Deputy P.A. Laura Keys, Interim HR Director Rich Soto and COO Greg Rast. The Executive Session concluded at 10:21 a.m. with no decision being called for in open session.

The meeting concluded at 10:21 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

WEED AND PEST DISCUSSION - OWL BOX MAINTENANCE DISCUSSION

The Board met today at 10:32 a.m. with Weed and Pest to discuss owl box maintenance. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Facilities Director Rick Britton, Weed and Pest Superintendent Cory Flatt, Office Manager Becky Kearsley and Deputy Clerk Jenen Ross. Director Britton provided a history of the informal agreement that has been in place with BSU to since 2018. The county partnered with BSU to clean out of the owl boxes for their research purposes and Canyon County has been reimbursing mileage for this service. In 2018 an agreement was presented to BSU to formalize this partnership but at that time the school refused to sign and nothing further happened. Director Britton provided several suggestions in order to maintain the owl boxes as owls are very beneficial in the control of gophers and is looking for Board direction. The Board is in favor of discontinuing mileage reimbursement to BSU and asked Director Britton to contact the school about what level of participation they'd like to have in the maintenance of the boxes. Mr. Britton said he would reach out to his contact and come back to the Board with some additional information.

The meeting concluded at 10:47 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY ROBERT AND JEANNE KELLY FOR APPROVAL OF A PRELIMINARY PLAT AND IRRIGATION & DRAINAGE PLAN FOR KELLY RIDGE SUBDIVISION, CASE NO. SD2020-0023

The Board met today at 1:35 p.m. to conduct a public hearing in the matter of a request by Robert and Jeanne Kelly for approval a preliminary plat and irrigation and drainage plan for Kelly Ridge Subdivision, Case No. SD2020-0023. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Michelle Barron, Planning Supervisor Carl Anderson, Deputy PA Zach Wesley, Bob Kelly, Dustin Hayes, other interested citizens, and Deputy Clerk Monica Reeves. DSD Principal Planner Michelle Barron gave the oral staff report. The development consists of 9 residential lots and 1 private road lot in a single-family residential zone. The subject property, Parcel No. 38157011, is located on the south side of Purple Sage Road, approximately

680 ft. west of the intersection of Freezeout Road and Purple Sage Road in Caldwell and is approximately 18.95 acres. The property is located within Middleton's area of city impact. The Planning and Zoning Commission recommended approval with conditions of approval on January 4, 2024. The County Engineer has reviewed the preliminary plat. Originally submitted without engineered plans for irrigation or drainage the application was placed on hold until those were completed. Pressurized irrigation plans were approved by the County engineer on November 20, 2023. The development will be accessed via a new private lane, All Seasons Lane. There was a review of agency comments. Rod Stiller, who lives nearby, was the only person who commented with concerns regarding drainage. Planner Barron reviewed the standards of review for a subdivision plat, as well as the conclusions of law. There are 10 proposed conditions of approval.

The following people testified in support of the preliminary plat:

Bob Kelly was present to answer questions of the Board. Commissioner Holton asked about his experience working with the Black Canyon Irrigation District, and Mr. Kelly replied that it was a great relationship and he has met the district's requirements.

Dustin Hayes represents Bob Kelly and was available to answer questions. In response to a question about a retention area, Mr. Hayes said they are only proposing roadway construction drawings along with the final plat. Since the lots will be built out in the future they will have it through a homeowners association or an agreement that the homeowners will be required to retain the water on each lot.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Commissioner Holton stated he is in concurrence with what the P&Z Commission found in their determinations. Commissioner Van Beek concurs. Commissioner Brooks is in favor of the request, and he asked if the Board wants to keep Condition No. 8. He does not want to be the enforcer for other agencies. Planner Barron said that is the standard language used and it's administered through the fire district. Deputy PA Zach Wesley said fire districts have their own independent authority to regulate fire access and water flow portion and while this is different language than we used a couple years ago, we are narrowing it down so it is a question of the fire administrator and the fire code and not just the blanket authority of the fire district. Commissioner Brooks said he can go along with that. Commissioner Van Beek said the fire code was weaponized at some level so it's just clarification with what's in state code. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously based on the findings of fact and the conclusions of Law, to approve Case No. SD2020-0023 for the preliminary plat and the irrigation plan for Kelly Ridge Subdivision subject to the conditions of approval as enumerated. The signed FCO's are on file with this day's minute entry. The hearing concluded at 1:54 p.m. An audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 27, 2024

No meetings were held today.

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Legends Sports Pub & Grill to be used 4/27/24
- Legends Sports Pub & Grill to be used 4/13/24

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for

- Jacob Petras, Deputy Sheriff received intermediate detention certificate
- Michael Turner, Deputy Sheriff received intermediate certificate

MARCH 2024 TERM

CALDWELL, IDAHO MARCH 28, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

- Insight Public Sector in the amount of \$63,470.72 for the Information Technology department (PO #5986)

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 an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson (left at 10:20 a.m.), Deputy P.A. Oscar Klaas (left at 10:20 a.m.), Director of Juvenile Probation Elda Catalano (left at 9:35 a.m.), Assistant Director Juvenile Probation Jose Orozco (left at 9:35 a.m.), COO Greg Rast (left at 10:08 a.m.), Larry Olmstead, Hubert Osborn, Glen Rimbey and other interested citizens (left at 10:08 a.m.), Interim HR Director Rich Soto (arrived at 9:41 a.m.) and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Canyon County Agreement with DocuSign for Juvenile Probation: Legal has reviewed this renewal agreement with has no substantive changes and has no issue with it. Director Catalano explained this service is used frequently by both her department and the juvenile detention center. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with DocuSign for Juvenile Probation (agreement no. 24-027).

Fire impact fee issues/questions: Mr. Ericson said he knows from Mr. Wesley that there had been discussion with Director Minshall and Mr. Hogaboam about getting the committee back up and

running but at this point that status is still unknown. Mr. Hogaboam was assigned as the impact fee committee coordinator but since being appointed as Clerk, Mr. Ericson is not sure who the coordinator is now. Mr. Ericson spoke to some of the history he knows about this and discussion ensued regarding the ability to have just one committee assembled to evaluate impact fees for the four areas able to assess them (jail, Sheriff, Coroner and parks), what the role of the committee is regarding the impact fees, and how committee members can be selected. Additionally, Mr. Rast noted it would need to be determined where funding could come from in order to hire an outside agency to assist with this kind of engagement. Commissioner Van Beek asked if Canyon county can use what is already in place at the City of Nampa in lieu of having its own committee. At the invitation of the Board, Glen Rimbey, Larry Olmstead and Hubert Osborn offered their comments on impact fees. Mr. Ericson said they will work to review the ordinance and have some additional information at the legal staff meeting on Tuesday.

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 10:08 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. Carl Ericson, Deputy P.A. Oscar Klaas and Interim HR Director Rich Soto. Mr. Ericson and Mr. Klaas left at 10:20 a.m. The Executive Session concluded at 10:43 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.

MEETING TO CONSIDER A RESOLUTION ADOPTING THE JOB TITLE, JOB DESCRIPTION AND SALARY GRADE OF ONE POSITION IN THE DEVELOPMENT SERVICES DEPARTMENT

The Board met today at 10:44 a.m. to consider a resolution adopting the job title, job description and salary grade of one position in the Development Services department. Present were: Commissioners Brad Holton, Leslie Van Beek and Zach Brooks, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, HR Business Partner Jennifer Allen and Deputy Clerk Jenen Ross.

Director Minshall explained this request is to change one Associate Engineer position to an Associate Planner position as this fills the more immediate need although she feels in the future an Associate Engineer will still be necessary. This will be a cost savings as the Associate Engineer position is a grade higher than an Associate Planner position. HR has reviewed and have no issues with this change. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to adopt the changes to the job title, job description and salary grade of one position in the Development Services department from one Associate Engineer

at a salary grade of 15 to one Associate Planner at a salary grade of 14 representing a positive budgetary impact of \$11,894 with this change (see resolution no. 24-040).

The meeting concluded at 10:53 a.m. and an audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE ADMINISTRATIVE DISTRICT JUDGE AND TRIAL COURT ADMINISTRATOR

The Board met today at 1:31 p.m. with the Administrative District Judge and Trial Court Administrator. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, ADJ Davis VanderVelde, Interim TCA Benita Miller, Deputy TCA Laura Kiehl, COO Greg Rast and Deputy Clerk Jenen Ross.

This week the judicial marshals conducted *run, hide, fight training* for court employees except judges; training for judges will come at a later time.

Ms. Miller confirmed with Mr. Rast and the Board that the TCA would be included in budget scheduling.

Mr. Rast informed Judge VanderVelde that there is movement regarding campus security involving the Sheriff's Office that will soon include the judge.

Commissioner Van Beek asked about making *run, hide, fight training* mandatory.

The meeting concluded at 1:38 p.m. and an audio recording is on file in the Commissioners' Office.

MARCH 2024 TERM
CALDWELL, IDAHO MARCH 29, 2024

No meetings were held this day.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Anna Gray, HR Business Partner (Promotion to fill vacancy due to resignation)

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

THE MINUTES OF THE FISCAL TERM OF MARCH 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 14th day of June, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS

Unavailable for signature
Commissioner Leslie Van Beek

Brad Holton
Commissioner Brad Holton

Zach Brooks
Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: Cross, Deputy Clerk

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 1, 2024

No meetings were held today.

APPROVED CLAIMS

- The Board has approved claims 604222 to 604263 in the amount of \$86,960.09
- The Board has approved claims 604264 to 604267 in the amount of \$1,043.16

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 2, 2024

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- DEC Enterprises to be used on 6/22/24
- Barley Pops to be used on 4/27/24
- Raising Our Bar to be used on 4/24/24
- Barley Pops to be used on 4/20/24
- The End Zone to be used on 4/12/24

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Police Service Dog, Inc in the amount of \$14,000 for the Sheriff's Office (PO #5841)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Justin Freeman, Weed and Pest, temporary position
- Shanell Stiles, Juvenile Probation Officer, new hire
- Shalayna Norman, Weed and Pest, temporary position
- Arbay Mberwa, DSD Associate Planner, new hire
- Janet Mills, Customer Service Specialist, change of supervisor
- Ryki Bowen, Customer Service Specialist, temporary assignment from Motor Vehicle to Reappraisal
- Rebecca Brumbelow, Customer Service Specialist, temporary assignment from Motor Vehicle to Reappraisal

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWAL

The Board approved the following alcoholic beverage licenses for renewal:

- Red Brick, LLC dba Vape (Resolution No. 24-044)

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 and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley (arrived at 9:32 a.m. and left at 9:55 a.m.), Deputy P.A. Laura Keys (left at 9:55 a.m.), Solid Waste Director David Loper (left at 9:36 a.m.), DSD Director Sabrina Minshall (left at 9:43 a.m.), Assistant Director of DSD Jay Gibbons (left at 9:43 a.m.), Interim HR Director Rick Soto (left at 10:27 a.m.), COO Greg Rast, Hubert Osborn (left at 9:55 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Increasing the Fees Charged at the Pickles Butte Sanitary Landfill for Certain Materials and Establishing Fees for Certain Services: A public hearing was held last week but no comments were received. Director Loper recognized that 60-days prior to the start of the new fiscal year, October 1, 2024, there are some noticing requirements that will need to be fulfilled by the landfill staff. At the request of Commissioner Van Beek, Director Loper spoke generally about waste haulers operating within Canyon County. Commissioner Brooks made a motion to sign the resolution increasing fees charged at the Pickles Butte Sanitary Landfill for certain materials and establishing fees for certain services. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-041).

Consider Renewal No. 4 to Master Agreement for Professional Engineering Services between Canyon County and Keller Associates:

Consider Renewal No. 1 to Master Agreement for Professional Engineering Services between Canyon County and Centurion Engineers, Inc.:

Mr. Gibbons explained that the county has contracted with private consultants for several years and both of these contracts are renewed annually. These companies will only be used as back-up to the in-house services on an 'as-needed' basis. The agreement with Keller and Associates had a slight increase from previous years but Centurion did not have an increase; both agreements expire at the conclusion of the fiscal year. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign renewal no. 4 to the master agreement for professional services with Keller Associates (agreement no. 24-028) and renewal no. 1 to master agreement for professional engineering services with Centurion Engineers, Inc. (agreement no. 24-029).

Discussion ensued regarding impact fees which is a continuation of the questions asked by the Board at last Thursday's legal staff meeting. In regard to the question about going thru a formal interview process to appoint committee members, the answer is no, there is no formal process required.

Addressing the question about individual districts bypassing the Canyon County Impact Fee Committee and going directly to the BOCC, Mr. Wesley explained there have been changes to the law governing impact fees in 2021 and 2023 that have influenced the way it would work now vs. how it was initially established. When originally established, the BOCC at that time instructed individual districts to create their own committees and then bring the information to the county for the fees to be considered. The county eventually ended up establishing an impact fee committee with the idea that it would be a 'master committee' over the smaller impact fee committees from the districts. At that time the county also had an interest in potentially exploring county-wide impact fees for public safety so the committee was created as a county entity with the idea that was something the county would take up at some point. Canyon Highway District No. 4 did not have their own committee and utilized the county's committee in 2022 and to Mr. Wesley's knowledge that is the last time that committee met formally. The last he heard about the committee was that Rick Hogaboam was working to get the committee reorganized but that was prior to his appointment as Clerk. Mr. Wesley believes that there probably need to be an update; with 2023 changes to the laws which would now make separate impact fee committees for the districts more of a necessity. When the committees were initially established, there were just basic residency requirements and for involvement in the development community but since changes were made to the law in 2023, committee members must reside within their district which may make it more difficult to find people to participate, especially in the smaller fire districts. Committee membership would need to meet all the district requirements, whatever the boundaries are, that potentially could be the Nampa Impact committee or their membership if it meets the criteria. There also needs to be a CIP for that whole area if the county wants to match Nampa's fee. The CIP that was adopted for the rural fire district was limited to the original Nampa fire district boundary and service area and not the entire city fire district as it now exists; that would need to be updated, go thru the committee that's appointed and a recommendation made to the Board before it's officially updated. Mr. Wesley addressed a question from Commissioner Van Beek, stating that based on the intergovernmental agreements that are now in place with the fire districts, they have their own committees that they maintain and they are supposed to pass a recommendation to the county's committees, however, the highway district just uses the county's committee. Mr. Ericson said that might not work because there is now a need to have specific residency within the district so the overall county district wouldn't really function anymore as the highway district committee. Based on a question from Commissioner Brooks, Mr. Wesley said members could be recruited administratively and then formalized on the record via resolution. Additionally, it was noted that there should be an annual report with CIP updates to evaluate if the needs have changed.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:55 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 Van Beek took a roll call vote where she along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Interim HR Director Rick Soto (left at 10:27 a.m.) and COO Greg Rast. The Executive Session concluded at 10:31 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 SIGNING FCO'S FOR CASE NO. CR2023-0008 FOR ZION VENTURES, LLC

The Board met today at 10:32 a.m. to consider signing FCOs for case no. CR2023-0008 for Zion Ventures, LLC. Present were: Commissioners Leslie Van Beek and Zach Brooks, Principal Planner Dan Lister, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Lister explained this case came before the Board on March 19, 2024 which concluded in a unanimous vote of denial where the Board instructed staff to amend the findings. Additional information was added to items 5 and 6 which had to do with appropriate facilities and traffic, there was not enough evidence to support that so staff amended the findings to state that until services reach that area and improvements to 20/26 are done it will be impactful to traffic and there will not be adequate facilities for that use. The rest of the findings remain unchanged. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the FCOs for case no. CR2023-0008, Zion Ventures LLC. The meeting concluded at 10:34 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:46 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, COO Greg Rast and Deputy Clerk Jenen Ross.

Commissioner Brooks said he has reviewed both applications and everything seems to be in order.

Consider a resolution granting a new alcoholic beverage license to The Bank Bar LLC dba The Bank Bar: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the resolution granting a new alcoholic beverage license to The Bank Bar LLC dba The Bank Bar (resolution no. 24-042).

Consider a resolution granting a new alcoholic beverage license to The Twisted Fig LLC dba The Twisted Fig: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the resolution granting a new alcoholic beverage license to The Twisted Fig LLC dba The Twisted Fig (resolution no. 24-043).

The meeting concluded at 10:48 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION APPROVING CHANGES TO THE ELECTIONS OPERATIONS SUPERVISOR JOB TITLE, JOB DESCRIPTION, SALARY RANGE, AND FLSA STATUS

The Board met today at 2:20 p.m. to consider a resolution approving changes to the Elections Operations Supervisor job title, job description, salary range and FLSA status. Present were: Commissioners Leslie Van Beek and Zach Brooks, Clerk Rick Hogaboam, HR Business Partners Kendra Elgin and Anna Gray, COO Greg Rast and Deputy Clerk Jenen Ross.

Clerk Hogaboam explained that this is an adjustment based on the separation of an employee who occupied the Elections Operations Supervisor position. This resolution will re-grade that position to an Elections Specialist position. Currently there is an Elections Specialist position open so this will allow for the hiring of two people. Additionally, Ms. Hicks, who is currently the Elections Operations Office Manager, will functionally be overseeing the elections office. At a later time, they anticipate cleaning up Ms. Hicks title and job description to more clearly reflect the job being done.

Clerk Hogaboam spoke about some of the ways they are working to temporarily fill staffing needs in the election's office.

Commissioner Van Beek made a motion to sign the resolution approving the changes to the Elections Operations Supervisor title, job description, salary range and FLSA status noting that on the high-end this is a reduction of \$32,000. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-045).

The meeting concluded at 2:25 p.m. and an audio recording is on file in the Commissioners' Office.

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 3, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Elizabeth (Annie) Hobby, Limited License Deputy Public Defender, New hire
- Robert Villegas, Deputy Judicial Marshal, Rehire

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

- Caxton in the amount of \$6265.60 for the Juvenile Probation department (PO #5996)

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS UNDER CODES: 63-602P, 602W, 602D, 602P, 602B, 602C, 602E, 602GG, AND 50-2014

The Board met today at 9:32 a.m. with the Assessor's Office to consider granting new and renewing property tax exemptions. Present were: Commissioners Leslie Van Beek and Zach Brooks, Assessor's Office Business Manager Jennifer Loutzenhiser, Assessor's Office Administrative Analyst Helena Thompson and Deputy Clerk Jenen Ross.

The following exemptions were granted last year; they have been reviewed by the Assessor's Office and they see no reason not to grant them again this year.

50-2014 – Urban Renewal

13415000 0	Nampa Development Corp
13601000 0	Nampa Development Corporation
13415011 0	Nampa Development Corp
04654000 0	Urban Renewal Agency of The City of Caldwell Idaho
04655000 0	Urban Renewal Agency of The City of Caldwell Idaho
04591000 0	Urban Renewal Agency of The City of Caldwell Idaho
04637000 0	Urban Renewal Agency of Caldwell
04638000 0	Urban Renewal Agency of The City of Caldwell Idaho
04551000 0	Urban Renewal Agency of Caldwell City
04552000 0	Urban Renewal Agency of Caldwell City

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the tax exemptions.

63-602B – Religious

61111005 0	KTSY Radio Station
04152000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
29411100 0	Corp Of Presiding Bishop
34356011 0	Corp Of Presiding Bishop-Church of Jesus Christ of LDS
34366201 0	Corp Of Presiding Bishop-Church of Jesus Christ of LDS
32419253 0	Corp Of Presiding Bishop-Church of Jesus Christ of LDS
34443011a0	Corp Of Presiding Bishop Church of Jesus Christ of LDS
29179000 0	Corp Of Presiding Bishop
32900101 0	Corp Of Presiding Bishop Of
34324000 0	Corp Of Pres Bis Of the Church of Jesus Christ of LDS
25279000 0	Corp Of Pres Bis Of the Church of Jesus Christ of LDS
25279010 0	Corp Of Presiding Bishop Of
14926000 0	Corp Of Presiding Bishop
00631000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
00632000 0	Corp Of Presiding Bishop of Jesus Christ of LDS

01367000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
01368000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
01369000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
01379000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
04100010a0	Corp Of Presiding Bishop of Jesus Christ of LDS
08988000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
19148000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
16101000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
16195000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
14096000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
38686011a0	Corp Of Presiding Bishop of Jesus Christ of LDS
34349100 0	Corp Of Presiding Bishop of Jesus Christ of LDS
34513011 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33912000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33945011 0	Corp Of Presiding Bishop of Jesus Christ of LDS
32558010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
32566010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33388000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33395010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33400010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33401000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33408000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33409000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33472000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
33483000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
28688000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
24709010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
29729000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
29336013a0	Corp Of Presiding Bishop of Jesus Christ of LDS
25279011 0	Corp Of Presiding Bishop of Jesus Christ of LDS
20155000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
20157000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
23934019 0	Corp Of Presiding Bishop of Jesus Christ of LDS
32041010 0	Corp Of Presiding Bishop of Jesus Christ of LDS
32400000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
30666011 0	Corp Of Presiding Bishop of Jesus Christ of LDS
31065000 0	Corp Of Presiding Bishop of Jesus Christ of LDS
31355010 0	Elysian Church of God No 10953
02815545 0	NW District Bible Missionary Church
01112011 0	Jehovahs Witnesses Inc N Caldwell Congregation
26436000 0	Jehovahs Witnesses Nampa East Congregation
26438000 0	Jehovahs Witnesses Inc Nampa East Congregation
19192000 0	Parma Ch Of the Nazarene
24563000 0	First Southern Baptist Church of Caldwell Inc

08588000 0	Good News Community Church Inc
31064106 0	Cross of Christ Evangelical Lutheran Church Inc
34174000 0	Franklin Community Ch Inc
00330000 0	First Regular Baptist Inc
15216000 0	Southern Idaho District Council of The Assemblies of God
35080000 0	Evergreen Heights
13817000 0	First Church of The Nazarene
13891000 0	First Church of The Nazarene
09824000 0	First Church of The Nazarene
09825000 0	Nampa First Church of The Nazarene
09845000 0	First Church of The Nazarene
09846000 0	First Church of The Nazarene
14950550 0	Nampa First Church of The Nazarene
11134000 0	Greater Life Church Inc
11133000 0	Greater Life Church Inc
02016000 0	Assembly of God Ch Central Latin American Dist. Council
02033000 0	Spanish Assemblies of God Church Rosa De Saron
35436000 0	First Friends Church of Caldwell Inc
17042000 0	Church of The Brethren
17047000 0	Bowmont Ch Of the Brethren
17048000 0	Bowmont Ch Of the Brethren
33715011 0	Homedale Church of Nazarene
38749010 0	Launch Pad Parma
19565000 0	Revival Center Ch Inc
35252000 0	Salt and Light Radio Inc
32097010 0	New Hope Baptist Church Inc
14990002 0	West Valley Baptist Church Inc
04865000 0	Antioch Miss Baptist Ch
32923000 0	Followers of Christ Inc
32918000 0	Followers of Christ
00087000 0	New Life Bible Fellowship Inc
05176000 0	Cp Reformed Church Inc
33670010 0	Homedale Friends Comm Church
37012000 0	Free Holiness Church
37021000 0	Free Holiness Church
16765000 0	Nampa Ch Of Christ
28615014 0	Assemblies of God S Id Dist.
11081000 0	Nampa 1st Southern Bapt. Ch
08807000 0	Apostolic Way Inc
37691000 0	Sandhollow First Baptist
38996000 0	First Baptist Church of Roswell
12798000 0	Apostolic Assembly of Faith in Jesus Christ Inc
01772000 0	Calvary Chapel Caldwell Inc
78097000 0	Wesleyan Holiness Church

16040000 0	Wesleyan Holiness Ch of Na
13611000 0	International Church of The Foursquare Gospel
01577000 0	Church of God Apostolic of Id
34536000 0	Faith Journey Church Inc
08833000 0	Ch Of the Nazarene
29261011 0	General Assembly and Church of The First-Born Inc
19940000 0	Iglesia Evangelica Mexicana De Wilder Inc
15426010 0	Olivet Assembly Inc
13715000 0	Olivet Assembly Inc
13718000 0	Olivet Assembly Inc
14656000 0	Grace Tabernacle Inc
36264000 0	Greenleaf Friends Church
36263010 0	Greenleaf Friends Church
36241000 0	Greenleaf Friends Ch
36242000 0	Greenleaf Friends Ch
04513102 0	Church of God Inc
09013000 0	The Church of The Rock Inc
09006000 0	The Church of The Rock Inc
29233000 0	Bethel Ch Of the Nazarene
08712000 0	Ch Of God Prophecy
15216010 0	Jehovahs Witnesses Nampa Id Inc Lake Lowell Congregation
15234000 0	Lutheran Brethren Ch Na Inc
32134100 0	Messiah Evangelical Lutheran Church Inc
32135000 0	Messiah Evangelical
73481000 0	Messiah Lutheran Church
35616000 0	Grace Evangelical Lutheran
20007000 0	Church of God
12829000 0	Rosa De Saron Pentecostal Holiness Church Inc
35666000 0	Church of Christ Cald Inc
32007000 0	First Congregational Church United Church of Christ Nampa Inc @@
13439000 0	Bible Pentecostal Church Inc
13441000 0	Bible Pentecostal Church Inc
13443000 0	Bible Pentecostal Church Inc
33158000 0	Free Methodist Church of North America
13490010 0	Involve Church Inc
37097000 0	Wilder Assem Of God Ch
74415000 0	Crossroads Assembly of God
32186010 0	First Romanian Church Inc
31968000 0	First United Presbyterian
31971000 0	First United Presbyterian
35746000 0	Caldwell Free Methodist Church Inc
04656000 0	Calvary Temple Inc
04657000 0	Calvary Temple Inc
35133000 0	Valley Pentecostal Church Inc

05799000 0	Jehovahs Witnesses Caldwell Idaho Inc Central Congregation
16270500 0	New Covenant Baptist Church
02157000 0	Church of God of Caldwell Inc
33003011a0	United Reform Church of Nampa
21150000 0	Buddhist Society of Idaho
19367000 0	Parma Miss Baptist Ch
03685000 0	Treasure Valley Christian
03684000 0	Faith Evan Luth Ch Of Cald
03686000 0	Faith Evan Luth Ch Of Cald
30895000 0	Midland Congregation of Jehovahs Witnesses Nampa Id Inc
16034010 0	Mennonite Church
22961000 0	Teen Challenge International Pacific Northwest Centers
32096000 0	Lakeview Bible Church Inc
31440010a0	Church of The Brethren Inc
01143000 0	Apostolic Assembly of The Faith in Christ Jesus
01136000 0	Apostolic Assembly of The Faith in Christ Jesus
04945000 0	Iglesia Nueva Esperanza Corp
37169000 0	Fargo Community Church
75203000 0	Fargo Community Church
32001010a0	Grace Bible Church Inc
28875000 0	Greenhurst Bible Church Inc
67274100 0	Celebration Life Church Inc
31460000 0	Rock of The Christian And Missionary Alliance Inc
73546000 0	Christian Faith Center Assembly of God Inc
35797000 0	Christian Faith Center Assembly of God Inc
32003000 0	Christian Faith Center Assembly of God Inc
13034011 0	Nampa First Assembly of God of The City of Nampa Idaho Inc
32596000 0	First Ch Of the Nazarene
10954000 0	Evangelical Lutheran Zion Ch Of Na
17769000 0	First Baptist Church of Middleton
17779000 0	First Baptist Church of Middleton
07275000 0	Northwest Latin Conference of The International
18469000 0	First Baptist Church of Middleton
06161000 0	First Baptist Ch-Ca
22926000 0	Wat Idahophoxaiyaraam Inc
31408000 0	Karcher Church of The Nazarene Inc
76061000 0	Karcher Church of The Nazarene Inc
33946000 0	Canyon Springs Christian Church Inc
33945000 0	Canyon Springs Christian Church Inc
24428010 0	Idaho Conference of Seventh Day Adventists Inc
04001000 0	Idaho Conference of Seventh Day Adventists
25909000 0	Southern Idaho Corp Of Seventh Day Adventists
38837011a0	Southern Idaho Corp Of Seventh Day Adventists
09488000 0	Idaho Conference of Seventh-Day Adventists Inc

09491000 0	Southern Idaho Corp Of Seventh Day Adventists
09492010 0	Southern Idaho Corp Of Seventh Day Adventists
09492010a0	Southern Idaho Corp Of Seventh Day Adventists
38837117 0	Southern Idaho Corp Of Seventh Day Adventists
17902114 0	Idaho Conference of Seventh Day Adventists
05032000 0	Idaho Conference of Seventh Day Adventists Inc
18988000 0	Bible Believers Fellowship LLC
32273000 0	Sunnyridge Assembly of God
31478010 0	Church of God of Prophecy
16699000 0	Praise Chapel Christian Fellowship
18857000 0	First Baptist Church of Notus Inc
31999000 0	Trinity Evangelical Luth Ch
19191000 0	Church of Christ Of Parma Idaho Inc
17535000 0	Community Baptist Church of Melba Inc
01414000 0	Treasure Valley Christian Center Inc
02759000 0	Treasure Valley Christian Center Inc
01413000 0	Treasure Valley Christian Center Inc
01353000 0	Boone Memorial Presbyterian Church Inc
01342000 0	Boone Memorial Presbyterian Church Inc
01354000 0	Boone Memorial Presbyterian Church of Caldwell Idaho Inc
01341000 0	Boone Memorial Presbyterian Church of Caldwell Idaho Inc
39089010 0	Sterry Memorial Presbyterian Church Inc
39122000 0	Sterry Memorial Presbyterian Church Inc
39123000 0	Sterry Memorial Presbyterian Church Inc
15502000 0	Church of The Living God Inc
27439000 0	First Christian Church of Caldwell Db a Caldwell Christian Church
27440000 0	First Christian Church of Caldwell Db a Caldwell Christian Church
23113000 0	Calvary Chapel of Nampa
23112000 0	Calvary Chapel of Nampa Inc
23118000 0	Calvary Chapel of Nampa Inc
31394000 0	Calvary Chapel Nampa Inc
31395000 0	Calvary Chapel Nampa Inc
35391000 0	First Methodist Ch Of Cald
35395000 0	First Methodist Ch Of Cald
35389000 0	First Methodist Ch Of Cald
17993000 0	Methodist Church
16238000 0	Roman Catholic Diocese of Boise
15617000 0	Roman Catholic Dioc Of Boise St Pauls Church
15228000 0	Roman Catholic Diocese of Boise
15227000 0	Roman Catholic Diocese of Boise
32334100 0	Roman Catholic Diocese of Boise
31822011 0	Roman Catholic Diocese of Boise
24564010 0	Roman Catholic Diocese of Boise
17607020 0	Roman Catholic Diocese of Boise

17503000 0	Roman Catholic Dioc Of Boise Melba Church
18975000 0	Roman Catholic Dioc Of Boi Sacred Hearts of Jesus Mary Church
32334000 0	Roman Catholic Diocese of Boise
17502000 0	Roman Catholic Diocese of Boise
31454000 0	Harvest Life Ministries Inc
29527000 0	Southside Blvd Methodist
13570000 0	New Direction Inc
13530000 0	New Direction Inc
36165000 0	Bible Missionary Church of Greenleaf Inc
70230000 0	Bible Missionary Church of Greenleaf Idaho Inc
05061000 0	Heritage Holiness Chapel Incorporated
19936000 0	Calvary Holiness Church Inc
08573000 0	Ch Of the Nazarene N Na Inc
12158000 0	Ch Of the Nazarene
08575000 0	Ch Of the Nazarene
15436000 0	First Christian Ch
15437000 0	First Christian Ch-Na
15439000 0	First Christian Ch-Na
15441000 0	First Christian Ch-Na
02092000 0	Iglesia Misionera Pentecostes Inc
02090011 0	Iglesia Misionera Pentecostes Inc
02091000 0	Iglesia Misionera Pentecostes Inc
11204000 0	College Ch Of the Nazarene
10993000 0	College Church of The Nazarene Inc
11200000 0	College Ch Of the Nazarene
11205000 0	College Ch Of the Naz Inc
25266000 0	La Iglesia De Dios Inc
27472000 0	Midway Bible Missionary Ch
07347000 0	First Church of Christ Scientist
15459000 0	Sovereign Grace Fellowship of Nampa Inc
04222000 0	Canyon Hill Ch of Nazarene
04218000 0	Canyon Hill Ch of Nazarene
04255000 0	Canyon Hill Ch of Nazarene
04221000 0	Canyon Hill Ch of Nazarene
29578012 0	Lake Shore Dr Baptist Church Nampa

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the exemptions.

63-602C – Charitable

13576000 0	Salvation Army
13704000 0	Salvation Army The
15988584 0	Salvation Army The
32548178 0	Salvation Army

04887000 0	Salvation Army The
27333105 0	Corp Of Presiding Bishop of Jesus Christ of LDS
27333106 0	Corp Of Presiding Bishop of Jesus Christ of LDS
31139000 0	Pacific Press Publishing Assoc
67336800 0	Shep Rock Foundation
04735000 0	Caldwell Model Railroad Club & Historical Society Inc
30505204 0	Idaho Fish and Wildlife Foundation Inc
01114000 0	Caldwell Elks Home Assn
01113000 0	Caldwell Elks Home Assn Inc
14822000 0	Fleet Reserve Assoc Branch 382
34971000 0	Caldwell Chapter of The Izaak Walton League of America
17540000 0	Melba Valley Historical Society
08237000 0	Nampa Lodge #1389 BPOE
11905200 0	Lifeways Inc
38762010 0	Parma Area Sr Citizs Cntr Inc
31060011c1	Love Inc Of Treasure Valley
20939010a0	Love Inc Of Treasure Valley
31304000 0	Boise Rescue Mission Inc
31305000 0	Boise Rescue Mission Inc
31312000 0	Boise Rescue Mission Inc
31328011 0	Boise Rescue Mission Inc
31328012 0	Boise Rescue Mission Inc
16835000 0	Boise Rescue Mission Inc
02530501d0	Community Council of Idaho Inc
02530502 0	Community Council of Idaho Inc
02530505 0	Community Council of Idaho Inc
13286000 0	American Legion Joseph H Murray Post 18
00855000 0	Lambda-Chi Chapter of Kappa Sigma House Corporation
67120000 0	Warhawk Air Museum Inc
67120010b0	Warhawk Air Museum Inc
67371500 0	Warhawk Air Museum Inc
67371501 0	Warhawk Air Museum Inc
08154000 0	Treasure Valley Transit Inc
29190010 0	Treasure Valley Transit Inc
35091000 0	Advocates Against Family Violence Inc
32109010b0	Witco Inc
01801000 0	Grand Lodge of Id IOOF Inc
05779000 0	Idaho State Chapter PEO Sisterhood Inc
33612000 0	Lizard Butte Easter Sunrise
35865012 0	Witco Inc
35865011 0	Witco Inc
35865010 0	Witco Inc
16046000 0	Pet Haven Inc
04699000 0	Mt Moriah Lodge 39 A F Am Inc

35723101 0	Young Mens Christian Association of Boise Inc
31730000 0	Mission Aviation Fellowship
35141010 0	Caldwell Odd Fellow Lodge No 10
37939000 0	Blazing Hope Youth Family Ranch Inc
35723100 0	Young Mens Christian Assoc Of Boise Inc
22891000 0	Mission Aviation Fellowship
67165204 0	Mission Aviation Fellowship
67165255 0	Mission Aviation Fellowship
37781011 0	Idaho Youth Ranch Inc
37785000 0	Idaho Youth Ranch Inc
01147501 0	Idaho Youth Ranch Inc
01147500 0	Idaho Youth Ranch Inc
35307103 0	Metro Community Services Inc
36402000 0	Pleasant Ridge Grange #135
36736000 0	Arena Valley Park Assoc Inc
16873000 0	Community Health Clinic
03136000 0	Community Health Clinic Db a Terry Reilly Health Services
08759000 0	Community Health Clinics
08760000 0	Community Health Clinics Db a
16880000 0	Community Health Clinics Db a
08777000 0	Community Health Clinics Inc
14447000 0	Community Health Clinics Inc
14447015 0	Community Health Clinics Inc
16883000 0	Community Health Clinics Inc
04731101 0	Community Health Clinics Inc Db a Terry Reilly Health Services
07900101 0	Community Health Clinics Inc Db a Terry Reilly Health Services
13339000 0	Community Health Clinics Inc Db a Terry Reilly Health Systems
28695010 0	Community Health Clinic Db a
15957000 0	Lifeline Crisis Preg Cntr Inc
15954000 0	Lifeline Crisis Pregnancy Center Inc
13447000 0	Society of St Vincent De Paul Southwest Id Dist Council Inc
35818000 0	St Vincent De Paul Of Caldwell Inc
11805010 0	Hands of Hope Northwest Inc
11805010a0	Hands of Hope Northwest Inc
11805000 0	Hands of Hope Northwest Inc
01788000 0	Linc Living Independence Network Corp
19896000 0	V F W Post 11065
17607030 0	American Legion Diven Slonecker Post 126
00083100 0	Elevate Academy Foundation Inc
00083101 0	Elevate Academy Foundation Inc
00083102 0	Elevate Academy Foundation Inc
04770000 0	Canyon County Historical Society Inc

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the exemptions.

63-602E – Education

61111011 0	Treasure Valley Community College
29567011 0	Liberty Charter School Inc
11246000 0	Northwest Nazarene University Inc
11194014 0	Northwest Nazarene University Inc
11194013 0	Northwest Nazarene University Inc
11194011 0	Northwest Nazarene University Inc
11194012 0	Northwest Nazarene University Inc
11007000 0	Northwest Nazarene University Inc
11178000 0	Northwest Nazarene University Inc
11180000 0	Northwest Nazarene University Inc
11181000 0	Northwest Nazarene University Inc
11184000 0	Northwest Nazarene University Inc
11194010 0	Northwest Nazarene University Inc
11201000 0	Northwest Nazarene University Inc
11633000 0	Northwest Nazarene University Inc
11189000 0	Northwest Nazarene University Foundation Inc
13025112 0	Northwest Nazarene University Inc
11194000 0	Northwest Nazarene University Inc
11188000 0	Northwest Nazarene University Inc
31448010 0	Nampa Christian Schools Inc
36241010 0	Greenleaf Friends Church
76062000 0	Greenleaf Friends Academy
31537010 0	Nampa Christian Schools Inc
31535010 0	Nampa Christian Schools Inc
31533010 0	Nampa Christian Schools Inc
31534000 0	Nampa Christian Schools Inc
31539000 0	Christian Schools Foundation of Nampa Idaho Inc
31533000 0	Nampa Christian Schools Inc
34113000 0	Western Idaho Community Action Programs Inc
02530536 0	Western Idaho Community Action Partnerships Inc
19863000 0	Western Idaho Community Action Program Inc Head Start
34320000 0	Vision Charter School Inc
08631000 0	Idaho Arts Charter School
08890000 0	Idaho Arts Charter School
08891000 0	Idaho Arts Charter School
08900000 0	Idaho Arts Charter School
08901000 0	Idaho Arts Charter School

08991000 0 Idaho Arts Charter School
 13034012 0 Idaho Arts Charter School
 13034013a0 Idaho Arts Charter School
 13034011a0 Idaho Arts Charter School Inc
 29454010a0 Legacy Public Charter School Inc
 32504100 0 3900 Overland LLC
 11504000 0 Evan Luth Zions Cong Of The
 29567011a0 Victory Charter School Inc
 32716000 0 Idaho Conference of Seventh Day Adventists Inc
 32717010 0 Idaho Conference of Seventh Day Adventists Inc
 00925000 0 Idaho Conference of Seventh Day Adventists@@
 32121000 0 Gem Prep Nampa LLC
 31454011 0 Harvest Life Ministries Inc
 35287105 0 Thomas Jefferson Charter School Inc
 67603000 0 Building Hope Orchard Street LLC
 34795011 0 Mosaics Public School Inc
 02287000 0 Elevate Academy Inc
 35723012 0 Heritage Community Charter School Inc

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the tax exemptions.

50-2014 – Urban Renewal

04636000 0 Urban Renewal Agency of the City of Caldwell Idaho

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the exemption.

63-602B - Religious

30973000 0 Eagle Christian Church

Last year a partial exemption was granted but this year the land has been developed and a full exemption is being recommended. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the exemption.

63-602C - Charitable

14442000 0 Nampa Valley Grange #131

The exemption was removed last year due to lack of application but there is no reason not to grant the exemption this year. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the exemption.

63-602E - Educational

649401030 Great America Financial Services Corporation

The Assessor's Office sees no reason not to grant the exemption. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the exemption.

63-602E - Educational

755502000 0 and 75555000 0 Nampa Christian Schools Inc.

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the exemptions for both parcels noted.

63-602C - Charitable

00083103 0 Elevate Academy Foundation Inc.

Last year the Assessor's Office made a recommendation for denial; this year it still doesn't seem to meet the threshold/code to be used exclusively for educational purposes. The parcel appears to be being held for future building. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to deny the tax exemption.

The meeting concluded at 9:48 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 10:33 a.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek and Zach Brooks, Director of Indigent Services Yvonne Baker, Case Managers Kellie George and Jenn Odom and Deputy Clerk Jenen Ross. The following cases were presented for consideration:

Case no. 2010-1407: The obligation to the county has been satisfied and Indigent Services is requesting a release of lien. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the release of lien for case no. 2010-1407.

Case no. 2024-23: Ms. George provided a history to the Board of the decedent's residency; it appears Canyon County is not the obligated county. Commissioner Van Beek made a motion to deny the application as it doesn't appear Canyon County is the obligated county nor the payor of last resort and application would need to be made to Ada County. The motion was seconded by Commissioner Brooks and carried unanimously.

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

CONSIDER A RESOLUTION APPROVING A REFUND TO DOUGLAS MCADAMS FOR A WITHDRAWN CONDITIONAL USE PERMIT APPLICATION, CASE NO. CU2023-0009

The Board met today at 10:45 a.m. to consider a resolution approving a refund to Douglas McAdams for a withdrawn conditional use permit application, case no. CU2023-0009. Present were: Commissioners Leslie Van Beek and Zach Brooks, DSD Office Manager Jennifer Almeida, DSD Director Sabrina Minshall and Deputy Clerk Jenen Ross.

Ms. Almeida explained Mr. McAdams originally applied in May of 2023, a file was created and assigned to a planner. In 2024 the file was reassigned to a new planner and rereviewed when some extenuating circumstances were discovered. At that point the applicant withdrew his application and will reapply at a later time. DSD staff is recommending a refund of \$807.50 which is approximately 85% of the fees paid. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the resolution to issue a refund to Douglas McAdams for a withdrawn conditional use permit application, case no. CU2023-0009. Resolution no. 24-046.

The meeting concluded at 10:47 a.m. and an audio recording is on file in the Commissioners' Office.

APRIL 2024 TERM

CALDWELL, IDAHO APRIL 4, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Elidia Gonzalez, Housekeeper
- Sandi Guerra, Temporary Elections Trainer (poll worker trainer)

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Canyon County Sheriff's Office in the amount of \$20,100 for updated uniform allowance (PO #5885)

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- Golden Palace Inc. dba Golden Palace
- Albertsons dba Albertsons #176, #103, #1602, and #166

Resolution no. 24-047

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 Zach Brooks, Clerk Rick

Hogaboam, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas, Deputy P.A. Alex Klempel, Director of Indigent Services Yvonne Baker (left at 9:38 a.m.), Case Managers Kellie George and Jenn Odom (left at 9:38 a.m.), EOM Christine Wendelsdorf, Communications Specialist Rick Thompson (left at 9:38 a.m.), COO Greg Rast, Nancy Glascock (left at 9:38 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolutions Appointing Community Volunteers, Lisa Shaddock, Melissa Czapiewski, and Nancy Glascock, to the Board of Community Guardians: Director Baker introduced Ms. Glascock who provided her background and interest in participating with the BOCG. Following the approval of the resolution and appointment of the new volunteers there will be an orientation to get everyone started. Ms. Klempel stated that these are the standard resolutions. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolutions appointing community volunteers, Lisa Shaddock (resolution no. 24-049), Melissa Czapiewski (resolution no. 24-048), and Nancy Glascock (resolution no. 24-050), to the Board of Community Guardians.

Consider a Resolution Ratifying Purchase of Bryx, Inc. Fire Station Alerting System and Agreement with Bryx, Inc.: Ms. Wendelsdorf explained this is a follow up to the meeting that was had regarding the fire station alerting for six (6) fire stations within Canyon County that need to be repaired. The purchase and agreement have been thru legal and been accepted by Bryx. This purchase will be made with the E911 fund, not property taxpayer dollars. Mr. Klaas said this purchase was able to be done quickly as it was on a cooperative purchasing agreement so there was no need to go thru the procurement process. Ms. Wendelsdorf spoke to the cost and where the funding will be coming from in the future. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution ratifying purchase of Bryx, Inc. Fire Station Alerting System and agreement with Bryx, Inc. (agreement no. 24-030 and resolution no. 24-051).

The meeting concluded at 9:43 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH THE IT DIRECTOR FOR AN UPDATE AND DISCUSSION

The Board met today at 10:32 a.m. with the IT Director for an update and discussion. Present were: Commissioners Leslie Van Beek and Zach Brooks, IT Director Steve Higgins, Assistant IT Director Eric Jensen, Operations Manager Jairo Rodriguez (left at 11:12 a.m.), Project Manager Shawn Adamson (left at 11:12 a.m.), IT Business Analyst Aaron Lasley (left at 11:12 a.m.), Development Manager Steve Webb (left at 11:12 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

Director Higgins gave a PowerPoint presentation which reviewed the following areas:

- 2023 Processed email
- 2023 County-wide printer click counts
- 2023 Print shop printer click counts
- 2023 Service desk tickets

- 2023 Email count
- 2022-2023 Website comparison
- 2023 Project report – at the request of Mr. Rast, Director Higgins spoke about the top 5 projects
- 2022-2023 Weekly project hours
- Year-over-year project hours w/graph representations

As part of his 6-month assessment being the IT Director, Mr. Higgins reviewed the items that are high-visibility for his department as follows:

- Microsoft Enterprise upgrade
 - Microsoft 365
 - Microsoft Windows 11
- DR Plan/Resiliency in CC ecosystem
- Procurement process
 - The Board expressed their frustration with IT purchase circumventing the IT department and how they feel the department needs to be involved in all IT procurements.

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

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 11:12 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. Commissioner Brooks 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 Zach Brooks and Leslie Van Beek, IT Director Steve Higgins, Assistant IT Director Eric Jensen, and COO Greg Rast. The Executive Session concluded at 11:50 a.m. with no decision being called for in open session.

Commissioner Van Beek moved to adjourn the meeting at 11:50 a.m. An audio recording is on file in the Commissioners' Office.

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 5, 2024

There were no meetings scheduled this day.

APPROVED CLAIMS

- The Board has approved the March jury claim in the amount of \$6,503.20
- The Board has approved claims 604387 to 604433 in the amount of \$74,026.74
- The Board has approved a grand jury claim in the amount of \$2,766.95
- The Board has approved claims 604268 to 604278 in the amount of \$21,925.50
- The Board has approved claims 604311 to 604350 in the amount of \$118,002.79
- The Board has approved claims 604434 to 604467 in the amount of \$553,805.89
- The Board has approved claims 604468 to 604484 in the amount of \$11,153.00
- The Board has approved claims 604485 to 604514 in the amount of \$44,370.17
- The Board has approved claim 604515 in the amount of \$783.75
- The Board has approved claims 604516 to 604555 in the amount of \$74,648.71
- The Board has approved claim 604556 in the amount of \$11,306.83
- The Board has approved claims 604600 to 604639 in the amount of \$51,242.04
- The Board has approved claims 604640 to 604677 in the amount of \$68,192.54
- The Board has approved claims 604678 in the amount of \$6,917.69

APPROVED APRIL 5, 2024 PAYROLL

- The Board approved the April 5, 2024 payroll in the amount of \$2,408,237.62

COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Mallory Loeb.

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- The Airport Inn, Inc., dba The Airport Inn
- Sportsman's Hideout, LLC dba Sportsman's Hideout
- Idaho Bowling Corporation, Inc., dba Nampa Bowl
- Las Tias, LLC dba Tin Roof Tacos

Resolution No. 24-052

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- The Getaway to be used on 4/18/24

MEETING WITH PA TAYLOR FOR LEGAL COUNSEL DISCUSSION AND TO CONSIDER AN ACTION ITEM

The Board met today at 11:00 a.m. with PA Taylor for a legal counsel discussion. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Prosecutor Bryan Taylor, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Assessor Brian Stender, COO Greg Rast, David Leroy with Leroy Law Offices and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Legal Services agreement with Leroy Law Offices: Mr. Rast explained that the Board has the latest version from Mr. Leroy and that the changes suggested by Mr. Ericson have been made by Mr. Leroy. There were four changes, the first was in regard to civil legal services to ensure it's very specific and case-by-case. This is the third letter of engagement with a third firm for case-by-case situations; the three engagements are with MSBT Law, Moore, Elia and Kraft, and now Leroy Law. This agreement will be for any future work needed by Mr. Leroy. Commissioner Van Beek made a motion to sign the legal services agreement with Leroy Law Offices. The motion was seconded by Commissioner Brooks and carried unanimously (agreement no. 24-031). Commissioner Van Beek commented that the Board has considered, and as conflict counsel, this includes references to article 18, section 6 of the Idaho Constitution and Idaho Code section 31-813 which she believes legal counsel has provided guidelines which have been complied with by the Board. Ms. Klempel noted that in reference to the process of hiring outside counsel, that is for specific instances, this is a generalized agreement so if a specific issue arises that Mr. Leroy needed to work on for the Board there would need to be a further record at that time.

Commissioner Brooks asked about a rumor he's heard that the Canyon County Board of Commissioners was investigated by the PA in another county. On Friday, he and Mr. Rast spoke with Mr. Ericson who confirmed the information but did not elaborate, instead referred them to speak with PA Taylor who was not in the office at the time. With the presence of Mr. Taylor and Mr. Ericson today, Commissioner Brooks would like to know how the Board was investigated by another county's prosecutor's office without the board's prior knowledge but instead finding out secondhand. In addressing PA Taylor's question about where he heard the rumor, Commissioner Brooks chose not to disclose that information. Prosecutor Taylor explained it is a very typical process, with the most recent one being an open meeting law allegation against the board. Since the PA's Office is legal counsel to the Board, per Idaho Code 74-208 (5), states that the PA shall refer this out to a special prosecutor; another PA needs to review the matter as CCPA cannot since they are legal counsel to the board. Information was received from the outside PA, there is no further action necessary so the matter is closed. He explained that generally the party being investigated is not notified in an effort to not disrupt the record. Commissioner Brooks further clarified his question to ask how the outside PA would be able to make any determination on whether to move forward without contacting the subject (the BOCC in this case) about the matter. Ms. Klempel explained that initial determination to move forward can be done by simply reviewing brief information, there is not always going to be a conversation with the subject of the investigation in the early phases. There may only be contact with the subject of the investigation if the PA isn't able to fully determine if the matter should move forward or not. Specifically, in regard to this situation, the outside PA was able to determine (without speaking to the Board) that

no action should be taken. In response to Commissioner Brooks' question, the legal team does not know why the matter is not being pursued further. Mr. Taylor spoke about how they work to keep separation between the case and his office providing legal counsel to the Board. Additionally, he confirmed that a copy of the findings was sent to his office but since it was not going to be pursued further he just files them away; at the Board's request, a copy will be report will be forwarded to the them. Commissioner Holton expressed his frustration about Prosecutor Taylor forwarding the allegations without notifying the Board and wondered why that was done. Mr. Taylor explained that he was following Idaho Code 74-208(5) which states that if there is an open meeting violation allegation committed by a board of commissioners the prosecuting attorney or board of commissioners may seek to have a special prosecutor appointed as noted in section 31-2603 of Idaho Code. He has a responsibility to separate one function from another function which is why he had Mr. Ericson trying to provide legal counsel to make sure the board was protected while he had to follow the statute. Mr. Ericson confirmed that there was a complete separation between his advisement to the Board and the actions of the prosecutor so there was no carryover. Mr. Ericson stated he was not even aware Mr. Taylor had referred this to outside counsel until recently. He recalls advising the Board that the matter may need to be referred out but didn't know what Prosecutor Taylor's plans were. Mr. Taylor said that Mr. Ericson notified the Board of the matter and how to rectify it and that if it was rectified it would never have had to be referred on, however the board did not take any action. Commissioner Van Beek expressed her frustration with how this situation has been handled.

The meeting concluded at 11:21 a.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(C) AND (D), REGARDING ACQUISITION OF AN INTEREST IN REAL PROPERTY AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 2:03 p.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d) regarding acquisition of an interest in real property and records exempt from public disclosure. 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, Treasurer Tracie Lloyd, Captain Harold Patchett, Chief Civil Deputy PA Carl Ericson, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Chief Deputy Sheriff Doug Hart, Clerk Rick Hogaboam, and COO Greg Rast. The Executive Session concluded at 3:07 p.m. with no decision being called for in open session.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hart Intercivic in the amount of \$143,541.00 for the Elections Office (PO #5997)
- Dell in the amount of \$6,975.04 for the Information Technology department (PO #5988)
- Dell in the amount of \$17,176.48 for the Information Technology department (PO #5985)
- BOE in the amount of \$8,154.00 for the Information Technology department (PO #5987)
- Sinch Message Media in the amount of \$3288.00 for the Elections Office (PO #5943)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- The Vault Eagle to be used on 4/13/24
- Van Lith Ranch to be used on 4/27/24

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- Sushi LW, LLC dba Sushi Sushi
- O Seafood, Inc., dba O Crab
- Italian ToGo Co., LLC dba Italian ToGo Co.
- LaRosita Mexican Store, Inc., dba LaRosita Mexican Store
- SLCH Asian Grocery, LLC dba Asian Grocery
- Inter Mountain Management, LLC dba Fairfield Inn & Suites

Resolution No. 24-084

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 2:48 p.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy Treasurer Jennifer Watters (left at 2:52 p.m.), Banking and Finance Manager Melissa Tucker and Deputy Clerk Jenen Ross. The action items were considered as follows:

Tax Charge Adjustments by PIN for February 2024 and March 2024: Ms. Watters said these are the adjustments and corrections that have been made of the past 2 months. February is delayed due to the occupancy tax roll and reports not coming out correctly. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the tax charge adjustments by PIN for February 2024 and March 2024.

The Board recessed from 2:52 p.m. until 2:56 p.m. Once back on the record the following action item was taken up:

Resolution approving alcoholic beverage license for Taqueria La Flama #2, LLC (New License): Commissioner Brooks has reviewed this application and is in favor of approving. A motion was made by Commissioner Brooks to approve and sign the alcoholic beverage license for Taqueria La Flama #2. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-054).

The meeting concluded at 2:57 p.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 3:00 p.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. Alex Klempel, Deputy P.A. Zach Wesley, Clerk Rick Hogaboam (left at 3:20 p.m.), Elections Office Manager Haley Hicks (left at 3:20 p.m.), Election Specialist Robin Sneegas (left at 3:20 p.m.), Landfill Director David Loper (left at 3:35 p.m.), Parks Director Nicki Schwend (left at 3:47 p.m.), Historic Preservation Planner Chelsee Boehm (left at 3:47 p.m.), JoDee Arnold (left at 3:20 p.m.), COO Greg Rast (joined the meeting at 3:52 p.m.) and Deputy Clerk Jenen Ross.

Public hearing to receive comment regarding sole source procurement for ballot printing units and action item to consider executing purchase of ballot printing units from Hart InterCivic, Inc.: Clerk Hogaboam explained that \$300,000 was allocated in the elections budget for software expenses in anticipation of purchasing additional Duo units. After some evaluation, the elections staff has decided to go in a different direction, toward a sole source procurement of ballot printing units. There are approximately 400 Duo units which will still be utilized. This purchase will be for 20 ballot printing units but with 45 voting locations the units will be used at the busiest locations and the early voting locations in both Caldwell and Nampa. Additionally, elections staff will be sure to convey to the public if they have a strong desire to mark by hand on a printed ballot that the only guarantee would be to vote early in person. Ms. Hicks provided a brief overview of how the printing devices will work. The Board, along with Ms. Arnold expressed their appreciation for the work done by the Clerk and election staff in getting this implemented. Commissioner Holton closed the public hearing. Mr. Wesley stated for the record that this agreement is the same terms and conditions as the master agreement with Hart from 2020. Commissioner Van Beek made a motion to sign the purchase of the ballot printing units which includes the purchase order. The motion was seconded by Commissioner Brooks and carried unanimously (agreement no. 24-032).

Consider a Resolution Designating Polling Locations for the May 21, 2024 Election: 45 polling locations have been secured for the upcoming election which is an increase from other recent elections. There are 51 precincts and they were strategic in finding appropriate locations to

accommodate all the precincts. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution designating polling locations for the May 21, 2024 election (resolution no. 24-053).

Consider State of Idaho Department of Water Resources' Permit 63-34858 Application Statement of Completion: Director Loper explained this has been in process for a while. They've been able to secure 4 parcels which equates to approximately 10 acres that boarder Deer Flat Rd. and the landfill property. One of the parcels had a private well and after it was purchased by the county, application was made to the Department of Water Resources to change the domestic well to a commercial water right. The current air permit requires that a certain amount of dust control is done and having this water will assist with that. Now that the well has been re-drilled a statement of completion needs to be filed with the Department of Water Resources to turn the permit into an actual water right. Ms. Klempel said that her office sees no legal reason not to sign. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the State of Idaho Department of Water Resources' Permit 63-34858 Application Statement of Completion.

Consider Legal Notice Inviting Public Comment on Revisions to the Pickles Butte Sanitary Landfill Operation and Maintenance Manual: This is an ongoing process that continually changes. Statute requires that the plan be in place and that it is recertified every 3 years; the statute also requires there to be an update when there are significant operational changes. These revisions encompass both of these requirements. A notice will be published in the Idaho Press inviting comment to Southwest District Health for a 28-day period. All comments received will be incorporated into the plan and then the final plan will be submitted. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice inviting public comment on revisions to the Pickles Butte Sanitary Landfill operation and maintenance manual.

Consider Solicitation of Interest – Consultant for Snake River Canyon Preservation Assessment: Mr. Wesley explained that the county applied for and received a grant from the Idaho State Historic Preservation Office for approximately \$10,000 to conduct a review of the Snake River Canyon within Canyon County to evaluate if any recreational, historical or archeological aspects may be in that area that would need documentation or preservation. This is to solicit and then hire a professional to create a scope of work to determine what the initial assessment will look like and then lay out the steps to have a future plan. Funding comes thru the State Historic Preservation office from the National Parks Service and Ms. Schwend provided an explanation as to how the match amount is comprised. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Solicitation of Interest – Consultant for Snake River Canyon Preservation Assessment.

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 3:47 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, Deputy P.A. Alex Klempel and Deputy P.A. Zach Wesley. COO Greg Rast joined the meeting at 3:52 p.m. The Executive Session concluded at 4:04 p.m. with no decision being called for in open session.

The meeting concluded at 4:05 p.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

APRIL 2024 TERM

CALDWELL, IDAHO APRIL 10, 2024

APPROVED CLAIMS

- The Board has approved claims 604279 to 604310 in the amount of \$44,862.49
- The Board has approved claims 604351 to 604386 in the amount of \$110,381.68
- The Board has approved claims 604557 to 604599 in the amount of \$215,250.60

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Sarah Martin, Emergency Communications Officer 1
- Kolbe Pennington, Deputy Sheriff
- Blake Whitney, Deputy Sheriff
- David Minshall, Deputy Sheriff
- Daniel Patterson, Deputy Sheriff
- Bryce Moore, Sergeant
- Dolan Adams, Deputy Sheriff
- Stephanie Browne, Deputy Sheriff

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- Jacksons Food Stores, Inc., dba Jacksons Food Stores #3, #5, #22, #59, #60, #61, #62, #63, #64, #82, #85, #115, & #117

- Jacksons Food Stores, Inc., dba Extra Mile #143, #144, #147, #148, #149, #164, #177, #178, #179, #180, #181, #182, #183, #184, #196, #198, #239, & #241
- George & Kayla White dba Keystone Pizza
- Raising Our Bar, LLC dba Raising Our Bar
- Angeles De Puebla Ice Cream, LLC dba Angeles De Puebla Ice Cream
- Canton Café, Inc., dba Canton Café
- CJTSAI, LLC dba Tsai's Kitchen
- THD, LLC dba Mongolian Fire Grill
- Family Dollar, LLC dba Family Dollar #27267, #27513, and #30025
- Terry W. Dice dba Tiny's Lounge
- The Tackle Shop, LLC dba The Tackle Shop
- La Copa, LLC dba La Copa
- Apple Idaho, LLC dba Applebee's Neighborhood Grill & Bar
- Caldwell Elks Home Association dba Caldwell Elk's Lodge #1448

Resolution Nos. 24-055 and 24-056

COMMISSIONERS ATTEND THE 2024 CITY OF CALDWELL STATE OF THE CITY ADDRESS

A Board majority was scheduled to attend the 2024 State of the City Address for the City of Caldwell today at 12:00 p.m. The event took place at the Sky Ranch Business Park in Caldwell. There were no motions, action items or Board direction entertained or given.

ATTEND 5C (CONCERNED CITIZENS OF CANYON COUNTY COMMITTEE) MEETING

A Board majority was scheduled to attend a meeting of the Concerned Citizens of Canyon County Committee today at 1:00 p.m. The event took place at the Nampa Public Library located at 215 12th Avenue South in Nampa. There were no motions, action items or Board direction entertained or given.

SPECIAL MEETING: CONSIDER RESOLUTION TO ENGAGE LEROY LAW OFFICES IN A CONFLICT MATTER (RECORD OF NECESSITY)

The Board met today at 4:31 p.m. for a special meeting to consider a resolution to engage Leroy Law Offices in a conflict matter (record of necessity). The matter was placed on the agenda on April 9, 2024 at 4:12 p.m. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Chief Civil Deputy PA Carl Ericson, Deputy PA Oscar Klaas, and Deputy Clerk Monica Reeves. COO Rast recommends the Board go through five phases to resolve an inquiry between the Canyon County Prosecutor and the Board that will involve outside legal review on

two allegations that were not founded for open meeting law violations. There was a determination by Bonner County Prosecuting Attorney Louis Marshall that no actions were to be taken. Since the Board is the Prosecuting Attorney's client there is a natural conflict with this and there seems to be some individuals who think the Board is violating open meeting laws and this is a transparency exercise to work through the process.

Phase 1: Commissioner Brooks received an outside undisclosed tip that the Board of Commissioners was investigated by Bonner County Prosecuting Attorney Louis Marshall requested by Canyon County Prosecuting Attorney Bryan Taylor. The Board was surprised that another municipality would know before the Board would, and as the client the Board was not notified of any requests.

Phase 2: There was a meeting on April 8, 2024 with Prosecuting Attorney Bryan Taylor, Chief Civil Deputy PA Carl Ericson, and the Board to work through these concerns and there were two actions that came from that meeting.

1. Who formed a complaint, was it in writing, did it kick off a formal process and what does that process look like? That has not yet been disclosed.
2. The Board asked Prosecutor Taylor to provide the document from Prosecutor Marshall. That document was provided.

Phase 3: The Board held an Executive Session with the PA Civil team designees on the afternoon of April 9, 2024 to explain the Board's intents and concerns and the process they were going forward with with conflict counsel.

Phase 4: COO Rast said the resolution being considered today is for outside counsel to look at two inquiries on the alleged violations:

1. The 48-hour notice for the February 2nd meeting when the Board appointed the Canyon County Clerk after the resignation of Clerk Chris Yamamoto.
2. The Board attending the special meeting called by the Republican Central Committee on January 31, 2024 to go through the process of selecting three names for consideration for the Clerk appointment. The assumption of violation is that Commissioner Holton and Commissioner Brooks, who are elected precinct committeemen, attended the meeting in that capacity.

He wants to work through a process on what the Board to is what to expect if there is a written complaint or a complaint on an open meeting violation. He believes there is scrutiny of the Board because the Commissioners are working and present nearly every day and there is a lot of work that's happening so it's an easy target to say open meeting violations are happening. COO Rast said one of his jobs is to watch for open meeting violations and serial meetings and he has called them out and they have had to cure them, but in this instance, he prefers to go through the process to see what it looks like.

Phase 5: There is a meeting scheduled for April 12, 2024 with outside legal counsel and Prosecutor Taylor to work through that process and to talk through this so we can close this out through that exercise. He said Prosecutor Taylor will say the matter is closed through the findings of the Bonner County Prosecuting Attorney, but the Board wants more questions answered.

Commissioner Holton said he is aware that the Ada County Commissioners ran into this issue with their Prosecuting Attorney and they found the need to set some form of agreed process of what triggers a valid investigation for the Prosecutor to investigate his own client, the Board of Commissioners. It bothers him that the Board had asked Prosecutor Taylor who the party or parties were and if there was a record of the allegation and as of this date they still do not have that information. It bothers him that anyone can make a verbal allegation, it appears, and the Board can be put under scrutiny and if it's deserved, great, but if not then there's a big problem and it's a misuse of public resources. It has become a campaign issue where a candidate is saying the Board is "willy-nilly" going to outside counsel. This will be the fifth time the Board has sought outside counsel and it has been done for good reason and each time it has been a one-and-done issue.

Commissioner Brooks supports the resolution and said he feels targeted by his own counsel. The week after the Board appointed Clerk Hogaboam they met with Legal and were presented with options for curing a perceived open meeting violation. The Board decided not to do anything on it and at that point they had been told that no one had brought a complaint forward and they waited out the time period and still had not been informed as a Board that any complaint had been filed. Supposedly after the 14-day time period and from the time Prosecutor Taylor decided to send this to Bonner County there was a complaint made, but the Board was not informed of the complaints/accusations, and the other day they were told the complaints probably were not in writing. The Board was not informed of the request by its counsel to have another Prosecutor in a different county investigate the complaint. They learned of this from an outside source. He has a lot of questions and a lot of trust issues at this point so he is in favor with engaging outside counsel and getting to the bottom of this because what he read from Bonner County is not what the Board was presented with the week following the appointment of Clerk Hogaboam. They were presented with something else after the fact and he wants to see the paper trail. He referenced a situation in Ada County where their process was solidified to where the complaint had to be in writing and the person had to put their name on it. He is interested in knowing how something could get escalated to this level when it's not in writing and said if somebody is not willing to put their name to it, it feels even more targeted.

Commissioner Van Beek said this is a Board of integrity that has a desire to work collaboratively and it has done an exceptional job and that includes with the Chief Operating Officer on building relationships within the internal community to move business forward. She supports Commissioner Brooks' statement that this feels targeted and she asked at what time do we just go to work? She is in favor of moving forward because at some point in time there has to be clarification on a process. Commissioner Holton read the resolution into the record. (A copy of which is on file with this day's minute entry.) Commissioner Van Beek made a motion that the Board of County Commissioner, so convened in special meeting, considers and signs the resolution

to engage Leroy Law Offices in a conflict matter. The resolution has been read onto the record as a record of necessity. The motion was seconded by Commissioner Brooks. Commissioner Holton said the Board feels it has followed the Prosecuting Attorney's Civil Division in their recommendation for acquiring outside legal services. The motion carried unanimously. (Resolution No. 24-057.) The meeting concluded at 4:51 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 11, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- High Focus, LLC in the amount of \$25,000 for Emergency Management (PO #5839)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for to be used:

- Raising our Bar to be used on 5/4/24, 5/10/24, 5/17/24, 5/18/24, 5/24/24, 5/25/24, 5/26/24 and 5/31/24
- Palace Event Center to be used on 4/14/24

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Lt. Brian Crawforth (left at 9:35 a.m.), Facilities Director Rick Britton (arrived at 9:36 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Declaring Certain Property as Not Necessary for County Use and for the Exchange of County Property: This is a standard gun trade resolution and exhibit A documents the make, model and serial number of each gun being traded. Lt. Crawforth said the trade-in value awarded will be used toward the purchase holsters and explained the end goal is to get every deputy using the same equipment. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution declaring certain property as not necessary for county use and for the exchange of county property (resolution no. 24-058).

Consider Invitation for Bids for Canyon County Fire Prevention Project and Legal Notice for IFB for Fire Prevention Project: There is a need to update the sprinkler system in the courthouse as some

of the equipment is obsolete. The project will span over several years and once it is to the contract stage there will be language included noting that future budgets cannot be obligated. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the Invitation for Bids for Canyon County Fire Prevention project and legal notice for IFB for Fire Prevention project.

Commissioner Van Beek motioned to adjourn the meeting.

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

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 12, 2024

APPROVED CLAIMS

- The Board has approved claim 604760 ADV in the amount of \$59.75
- The Board has approved claim 604761 in the amount of \$103.50

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change form for:

- Doug Exton, Associate Planner in DSD

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for to be used:

- Craft Lounge to be used on 4/21/224
- Grant's Grill to be used on 5/18/24
- Casa Robles to be used on 4/21/24

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- Craft Lounge, LLC dba Craft Lounge (801 Everett St., Caldwell)
- Craft Lounge, LLC dba Craft Lounge (320 11th Ave., S. Ste. 100)
- TV Hotels, LLC dba Holiday Inn
- Vapor, LLC dba Vape
- Idaho Golf Partners, Inc., dba Timberstone Golf Course
- Hong Kong Restaurant, Inc., dba Hong Kong Restaurant
- Dunning Estates, LLC dba Dunning Estates
- NKVS, LLC dba Lakeshore
- Little Saigon Vietnamese Restaurant dba Little Saigon Vietnamese Restaurant

- Family Dollar, LLC dba Family Dollar Store #26963 and #30004
- MRG, Inc., dba Buck's Saloon & Steakhouse
- Treasure Valley Road Runners, LLC dba The Tower Grill
- Muniz Family Grocers, Inc., dba Grocery Outlet of Caldwell
- The Getaway Bar & Grill, Inc., dba The Getaway
- Grit Ground Game, LLC dba Grit

(Resolution Nos. 24-059 and 24-060)

MEETING TO DISCUSS OPEN MEETING LAW INQUIRIES WITH PROSECUTOR BRYAN TAYLOR

The Board met today at 1:30 p.m. to discuss open meeting law inquiries with Prosecutor Bryan Taylor. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Attorney David Leroy, Deputy PA Alex Klempel, and Deputy Clerk Monica Reeves. Prosecutor Taylor was not present for the meeting. As of a follow-up to the meetings held on April 8 and April, 2024, Commissioner Holton spoke of his disappointment that Prosecutor Taylor elected not to advise the Board about who made the complaint of the alleged open meeting violation as well as his decision to refer the matter to the Bonner County Prosecutor without consulting with or working with the Board. He wants to see a better and more constructive relationship between legal counsel and the Board. David Leroy offered comments and read his April 12, 2024 memorandum into the record which included a statement of facts, recommended protocols, and a conclusion. (A copy of the memo is on file with this day's minute entry.) Deputy PA Alex Klempel said the Prosecutor's Office is not necessarily agreeing with anything in Mr. Leroy's written statement and they are not necessarily agreeing that it's appropriate for this matter to be reviewed by outside legal counsel and they made that clear in an email on April 10, 2024. Following Mr. Leroy's review of his memo and his comments, each Commissioner gave their comments on the issue. Commissioner Brooks spoke of his concerns with the matter and said it has significantly altered his trust in the majority of the Prosecutor's Office. Commissioner Van Beek said she wants to be collegial and collaborative but she is fatigued by the mental gymnastics in trying to figure out how to work with adversarial legal counsel. She has done her best to fulfill her oath of office and her duties and she wants to get to work. Commissioner Holton spoke of his many years in public office and said he would not knowingly skirt around the open meeting law. He looks forward to a better working relationship and he hopes this can be a learning experience and everyone can do better. The meeting concluded at 2:34 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 15, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Right! Systems Inc. in the amount of \$204,715.00 for the Information Technology department (PO #5998)
- Bob Barker in the amount of \$5044.80 for the Sheriff's Office (PO #5842)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Amanda Carmona, Elections Specialist, new hire

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Eskimo Hut to be used on 5/5/24
- Liberty Lounge to be used on 4/18/24
- Grant's Grill to be used on 5/19/24

FISCAL YEAR 2025 KICKOFF DISCUSSION

The Board met today at 10:04 a.m. for a Fiscal Year 2025 kickoff discussion. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Clerk Rick Hogaboam, Audit Supervisor Sarah Winslow, COO Greg Rast, Director of Misdemeanor Probation Jeff Breach, DSD Director Sabrina Minshall, HR Compensation/Benefits Manager Bosco Baldwin, Facilities Director Rick Britton, Juvenile Detention Director Sean Brown, Fleet Director Mark Tolman, Ambulance District Director Michael Stowell, Parks Director Nicki Schwend, Director of Juvenile Probation Elda Catalano, other interested persons, and Deputy Clerk Monica Reeves.

Clerk Hogaboam reviewed the budget process for this upcoming fiscal year and provided handouts, which are on file with this day's minute entry. The budget timeline is as follows:

May 6, 2024	County clerk (i.e. the county auditor and budget officer) distributes budget forms to county elected officials and department heads (I.C. 31-1602). First Monday in May deadline. He hopes to send the forms to departments and offices on April 17.
May 20, 2024	Budget forms and supporting documentation due to county clerk (I.C. 31-1602). Failure to submit estimates may be subject to a fine and/or failure to participate in the budget process (I.C. 31-1602). Third Monday in May deadline.
May-June	After the 3 rd Monday in May until the end of June, budget meetings will be scheduled to review requests.
July	Budget meetings with the BOCC will be scheduled, leading to the Clerk's suggested/preliminary budget presentation.

Aug. 5, 2024	County clerk submits suggested/preliminary budget to BOCC by first Monday in August (I.C. 31-1604).
Aug. 12-16, 2024	County commissioners set tentative budget which county clerk publishes in newspaper of record (I.C. 31-1604).
Sept. 3, 2024	On or before the Tuesday following the first Monday in September, the BOCC shall meet as noticed to commence public hearing on tentative budget (I.C. 31-1605).
Sept. 5, 2024	BOCC must certify the budget (I.C. 31-1605).
Sept. 16, 2024	BOCC must approve tax levies and deliver to the state tax commission by third Monday in September (I.C. 63-808).

Highlights from Clerk Hogaboam's report included:

Baseline budget information. He is prepared to bring options as far as how to adjust the baseline to what the actuals are.

Policy discussions are needed on:

- How to prepare budget regarding backfilled positions
- Personnel baseline budget new positions, salary budgets, and reclassifications. (He will highlight budgeted vacant positions that have stayed vacant.)
- Compensation program
- COLA
- Salary increases

The Clerk commits to try to achieve the three primary objectives for budgeting and financial reporting as outlined by the Governmental Accounting Standard Board (GASB):

1. Financial reporting should assist in fulfilling government's duty to be publicly accountable and should enable users to access that accountability.
2. Financial reporting should assist users in evaluating the operating results of the governmental entity for the year.
3. Financial reporting should assist users in assessing the level of services that can be provided by the governmental entity in its ability to meet its obligations as they become due.

He shared his thoughts on the last 13 years of budget cycles. In 2012-2016 the County did not take 3%, new construction. \$7.2M was not added; the amount that would have been in the annual budget capacity was pushed into forgone and that is why the forgone balance went from \$5M to almost \$11M. From 2017-2019 the County took the full 3%, new construction, and used forgone. In those three years we added \$6.5M into the budget capacity. Last August the Clerk and Controller recommended taking new construction, the full 3% and they dangled the

possibility as an option of use of forgone. The County in two years left over \$7.5M untaxed including not taking new construction in what appears to be the two fastest growing years in the County. From 2020-2023, the County did not take the full amount of new construction or the 3%. In 2023 the Commissioners levied \$40M to burn through some fund balance. The increases in 2020 and 2021 exceeded what was budgeted which means more money was being received by the county from the state than was budgeted and that was increasing fund balance, but we didn't fully expend the budget at capacity. In 2023 the County levied less and added new positions and made some salary adjustments. The decision to levy \$40M knowing there would be a rebound back to the \$55M range, the commitments the County made with that rebound the property tax levy did not cover in contemplating that rebound what the commitments were and it put the Commissioners in a position of burning fund balance for multiple years unless they chose to make drastic cuts to the budget.

From 2011 to 2024 the County could have added close to \$23M if it took the 3%. If the County took the posture of it's going to take new construction, have growth pay for itself, we are going to take 0% of the 3% and if they had done that every year since 2011, we would still have more levying capacity today. The County has not captured the full value of new construction since 2011 to let growth pay for growth. He spoke about levy authority, forgone balance, and levy capacity. We are in a mode of five years in a row not taking what could be taken, to then playing catch up with use of forgone to then four years in a row of not taking it and then this current year taking forgone. With the \$2.2M use of forgone, it's important to note only \$1.6M of that is ongoing. It rolls off next year when we recalculate the base. Commissioner Holton made comments about the laws governing the use of forgone. Commissioner Van Beek said she knew there was going to be a day of reckoning and she has said this was not sustainable going forward.

Self-Funded Health Trust

There could have been a onetime contribution to help maintain solvency in the health plan trust, and to catch up on deferred maintenance to being current with the maintenance schedule, and there could have been a burner fund balance and there could have been some modest increase in personnel addition and salaries. Commissioner Holton said the decision isn't before us, it's already been previously made and we are behind the 8-ball in a very untenable situation.

Changes to PERSI Rates

Auditing Supervisor Sarah Winslow said the PERSI rates will increase in July of 2024 and will affect this year's budget which was planned for, but it will also affect next year's budget. The employer's contribution for Class 1 employees go from 11.18% to 11.96%, an increase of 0.78%; and Class 2 employees will go from 13.26% to 14.65%, an increase of 1.39%. The employee contribution for Class 1 employees will go from 6.71% to 7.18%, an increase of 0.47%; and the Class 2 employee increase will go from 9.83% to 10.83%, an increase of 1.00%. If salaries stay the same for next year the employer's contribution will increase by \$584,137 in next year's budget, and the employee cost across the County will be \$384,652 for a total of \$968,789. The increased rates will

impact the employee paychecks the second week in July 2024. The rates will increase again in July of 2025.

Clerk Hogaboam reviewed what a potential COLA of 1%, 2%, or 3% would cost the County in total and how it's applied based on each fund.

If we are at \$3.5M in new levying capacity (without taking forgone), it would be new construction plus 3%. \$3.5M would be the potential increase into the budget. In 2023 there was a burn down of fund balance throughout the County. The projected fund balance that was presented was off by millions of dollars. The current expense fund balance report from August was \$23.8M and in September it was projected to be \$41M. At the end of February 2024 our fund balance was healthy, but we are on a slight burn rate trajectory through this year so we need to get to some point of stabilization. That could be a discussion later when we talk about fund balance policy.

The justice fund is solvent and stable. Public defense goes to the State of Idaho on August 1, 2024, but we have to house them through 2029 at which time the state will either relocate public defense or they will negotiate with the County some sort of lease arrangement. We have been spending more than we received from outside revenue sources so have public defense has been subsidized to some degree within the justice fund. Those pressures will be removed starting in FY2025.

Two items will move to the Justice Fund:

1. There is a step plan that goes into effect for the Sheriff's Office that will hit the justice fund.
2. We have made our last lease purchase payment on Pod 6 and we need to make a decision about what to do with Pod 6.

There was discussion regarding ancillary expenses we have to keep such as child protection cases and some costs on conflict so the \$2.3M savings will not be a true reflection. Additionally, the Facilities Department and the IT Department will still provide support to the Public Defender Department.

Clerk's Goal for FY2025

Current expense for FY2024 was to burn \$9M of fund balance on a \$45M budget. He hopes to get that to no more than 15% of the budget. There was consideration in this year's budget because there was a deficit it showed that our expenditures exceed our revenue even by taxing the full 3%, levying \$54M still doesn't cover what our ongoing budgetary commitments are and in order to close that gap they would need to lower the payroll budget back down to the beginning of FY2023 in the hope of applying the vacancy factor to the "A" budget (vacancies and the savings). If the County had done that then there would not have been the savings limiting the use of fund balance in the current fiscal year. If you want to move to a stabilization period where you are net neutral we should be budgeting no more than 10% use of fund balance. If you want to save fund balance a little more than you would reduce what you are using as far as cash reserves in the following budget knowing that the fund balance will be growing. It's important to have a plan so you can

explain to people why you are growing fund balance. Clerk Hogaboam wants guidance from the Board on what they want budget workshop schedule to look like. He needs to formally present the Clerk's Suggested Budget in August and he intends to post it on the Auditor's website. The Board will review his suggested budget and arrive at a tentative budget and at the public hearing the Board will do a final budget.

Chairman Holton said it will be at a transparency level that we have not attained before. There were people with opinions that were spinning a narrative that was not true and there were a lot of hours of going over the budgets.

The Clerk's suggested budget may have cuts to what has been asked for, but he's hoping not to do it in a vacuum; he wants an understanding of what the Board's priorities are so that things that are going unfunded align for the most part so the suggested budget is at least an attempt to be funding the priorities in the current fiscal year.

Commissioner Brooks looks forward to working with the Clerk in transparency and putting the taxpayer first. He wants to make sure the Board is involved in the May/June budget workshops with the department administrators and elected officials. The Board plans to hold two rounds of workshops this year.

Commissioner Van Beek had questions for Clerk Hogaboam about the type of information she would like to see including revenue projections and historical information. The Clerk said there will be a year 2 discussion as far as refining how the allocation structure exists. He also said people need to consult with HR on any new position requests. Commissioner Holton said the Board is not interested in having proposals in any manner that hasn't been vetted through HR to make sure the salary range has been researched and is viable for Canyon County.

COO Rast said we have a natural decrease of our revenue and if you look at the property tax draw in PowerPlan it was \$56,665,969 and underneath that is circuit breaker which is over \$1,000,000. The circuit breaker number is actually a part of the current tax draw so his concern is that the extra \$1M was added revenue that should not be there so it's a concern that overall revenue will drop by a \$1M. Clerk Hogaboam said that is correct. They are working on creating the quarterly budget report and showing the revenue and what's being skewed is that specific line. It looks like it's a separate revenue line in addition to the taxes levied, so it would skew the percent if you were to run it that way. The circuit breaker is the state paying part of people's property taxes and it's within the \$56M we are levying. It's not revenue on top of the \$56M. He doesn't think it was set up to skew what the revenue projections were, he thinks there was interest in capturing what the circuit breaker was as part of the property tax collection. There are other ways of tracking how much was collected from the state via circuit breaker that doesn't require us to segregate it out as its own revenue line in addition to the property tax collection.

The revenue line should be policy we report. He said Treasurer Lloyd wants a realistic revenue projection on interest so we need to have a very open conversation about what that is and how it gets distributed. We also need to discuss what state shared revenues are. He wants to be at 10%-

15% but he doesn't think that will be realistic in this first year. With the fund balance levels being what they are it needs to get stabilized by FY2026 to be closer to the 10%-15% drawdown. At \$9M of a \$43M budget we are at 20%. If we are onboarding \$3.5M and you are committing all \$3.5M in new positions and COLA then we would be burning down fund balance at essentially the same rate. We might be able to tolerate that, but he needs to do more analysis over the current year.

His hope is to not put in \$9M in next year's budget as far as cash reserve drawdown. If we can start moving down to hopefully \$5M over the next two years but that means you're adding revenues without necessarily adding new commitments on the expenditure line and that's just to close the gap and that feels painful because all the new realized revenue increases are mostly going to try to stabilize our budget not, just going into the expenditure line.

COO Rast said we're at a point where we have to look at a capital improvement fund for projects going forward because we're adding an Elections building and an administration building and there are downstream costs for maintenance and improvements and that's another caveat we need to look at yearend savings of this unspent even though we're trying to stabilize into a dedicated fund for those ongoing costs. Commissioner Van Beek said the community is frustrated that we cannot move forward on funding but given the information we heard today with wanting to control the amount of fund balance and given the \$40M that was proposed with the \$20M gap yet to be filled on the suggested budget, how does that mechanism look today for being able to make a payment? Clerk Hogaboam said fund balances right now are healthy, so it's not like the house is on fire. The good news is the justice fund was set up to be stable for FY2024 so when we talk about stabilization of funds we are not talking about every single fund being at the same burn rate, it's current expense that needs to be stabilized.

Commissioner Van Beek asked where the County would be if we took \$40M again and said that is our base? How long until the County is no longer solvent? Clerk Hogaboam said he would have to run projections and it would be dictated by how you distribute the burn across the fund balances because the Board determines how much it levies for each fund and how much cash reserves you will burn in each fund but, yes, that would be significant. We ended FY2023 with \$26M in current expense fund balance and that was with taxing \$40M. All \$40M didn't go just into current expense, the biggest recipients of property tax are current expense and the justice fund as far as how it's allocated or received but if we did not even tax the \$40M and if he were to run hypotheticals it would probably be at least \$15M-\$20M less of that \$26M, and you're at that 10%-20% range with fluctuations depending on the year. With the current year we are \$2M-\$3M less than that currently. Our fund balance levels would be low and it would jeopardize our credit rating and there would be a lot of negative things. Commissioner Holton said the reality is you wouldn't survive much more than 18 months and by 24 months you would be upside down so he wants the public to know that carrying a \$40M budget plan forward would break the County in less than 24 months. It was not plausible, it's not workable and it is something this Board inherited. Commissioner Van Beek said with state-mandated services there is not a lot of wiggle room. There is a need to fund capital items and she's been asking for that every year so it's nice we have a Board, Clerk and COO that are on the same page. COO Rast said we are two fiscal cycles

away from shutting services down. We are mandated to provide services so the \$40M baseline is not sustainable. At this rate with inflation costs and operational costs we are not going to have a choice but to try to take new construction and he estimates it will take three fiscal cycles to stabilize. Clerk Hogaboam said the rules today do not allow us to use forgone in the same way we did in the past so the most we're looking at is \$550,000 that can be added to the base to move forward. Commissioner Van Beek said forgone is never seen as a positive move, and what she proposes is to have the stability the Clerk is talking about. Clerk Hogaboam said the \$56M is not going to grow by 3% and new construction is dropping back down. 3% would just be refilling the bucket because the use of forgone to get to \$56M rolls off and you have to refill it.

No Board action was required or taken as today's meeting was held for information purposes only. The meeting concluded at 11:57 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D): INTERVIEW AND CANDIDATE EVALUATIONS FOR THE DIRECTOR OF CONSTITUENT SERVICES

Commissioner Van Beek made a motion to go into Executive Session at 3:33 p.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding interview and candidate evaluations and records exempt from public disclosure. 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, Assessor Brian Stender, Clerk Rick Hogaboam (left at 4:15 p.m.), Chief Deputy P.A. Carl Ericson, HR Business Partner Jennifer Allen, COO Greg Rast and Director of Constituent Services candidate. The Executive Session concluded at 4:29 p.m. with no decision being called for in open session.

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 16, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- 3C – Clapier Construction Co. in the amount of \$32,780.00 (PO #5999)

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- S&G Retail, LLC dba Eskimo Hut
- Imbibe, LLC dba McCleary's

- Chop Shop, LLC dba Chop Shop
- Aguililla Restaurant, Inc., dba Aguililla Restaurant
- CBOCS West, Inc., dba Cracker Barrel #683
- Texas Roadhouse Holdings, LLC dba Texas Roadhouse

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 and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Alex Klempel, Interpreter Coordinator Grace Almeida (left at 9:36 a.m.), Director of Court Operations Jess Urresti (left at 9:36 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Independent Contractor Agreements for Interpreter Services with Sunita Mody, Baldave Singh, and David Utter: Ms. Klempel confirmed that these are the standard interpreter agreements and Ms. Almeida spoke about how interpreting services have changed in recent years. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Independent Contractor Agreements for Interpreter Services with Sunita Mody (agreement no. 24-033), Baldave Singh (agreement no. 24-034), and David Utter (agreement no. 24-035).

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

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

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) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. Commissioner Brooks 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 Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson and Deputy P.A. Alex Klempel. The Executive Session concluded at 9:40 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.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:31 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, HR Business Partner Jennifer Allen, Director of Juvenile Detention Sean Brown, Assistant Director of Juvenile Detention Shawn Anderson, U of I County Chair Tasha Howard (left at 10:35 a.m.), Director of Misdemeanor Probation Jeff Breach (left at 10:39 a.m.),

Compensation and Benefits Analyst Bosco Baldwin, Interim HR Director Rich Soto and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution adopting changes to the job title and job description of one (1) position with the County Agent: This change of job title from Sr. Administrative Specialist to Office Coordinator and job description is to more clearly reflect the job actually being done. There is no change to the salary or salary grade. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution adopting changes to the job title and job description of one (1) position with the County Agent (resolution no. 24-062).

Consider a resolution adopting changes to the job title, job description, salary grade and FLSA status of one (1) position in Misdemeanor Probation: This will change one job title from Administrative Supervisor to Office Manager, salary grade from 15 to 14 and non-exempt to exempt. There is no salary impact with these changes. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution adopting changes to the job title, job description, salary grade and FLSA status of one (1) position in Misdemeanor Probation (resolution no 24-063).

Consider a resolution adopting changes to the job title and job description of one (1) position in Juvenile Detention: This will change one job title and description from Juvenile Detention Officer to Security Control Specialist. The salary and salary grade remain the same, however, there is a change from Rule of 80 to Rule of 90 retirement which will be a bit of a cost savings. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution adopting changes to the job title and job description of one (1) position in Juvenile Detention (resolution no. 23-064).

Commissioner Van Beek moved to adjourn the meeting.

The meeting concluded at 10:42 a.m. and an audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING: APPEAL BY SANTIAGO GOMEZ OF CASE NO. AD2023-0133 REGARDING THE DENIAL OF AN ADMINISTRATIVE LAND DIVISION, CASE NO. AD2023-0133-APL

The Board went on the record today at 1:46 p.m. to reschedule the public hearing concerning Case No. AD2023-0133-APL, the applicant, David Ferdinand, representing Santiago Gomez, is appealing Case No. AD2023-0133 regarding the denial of an Administrative Land Division regarding Parcel R29035010A. The subject property is located adjacent to 4754 Bennett Road in Kuna. Present were: Commissioners Leslie Van Beek and Zach Brooks and Deputy Clerk Monica Reeves. Due to scheduling conflicts the hearing needs to be moved to a later date. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to continue Case No. AD-2023-0133-APL to May 16, 2024 at 1:30 p.m. The previously noticed written public comment period has expired and will not be extended; however, verbal public

comment will be taken at the hearing on May 16. The meeting concluded at 1:47 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 17, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Esmeralda Romo, Office Manager, title change, salary grade change and FLSA status change

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

- WW Ink LLC dba Rocco's Roadhouse
- Owyhee Motor Sales Inc. dba Owyhee Motor Sales Inc.
- Costco Wholesale Corporation dba Costco Wholesale #734
- County Line Wine Company LLC dba County Line Wine Company
- Mariscos El Viejon LLC dba Mariscos El Viejon
- Stinker Stores, Inc dba Stinker Store #41; Stinker Store #44; Stinker Store #48; Stinker Store #60; Stinker Store #82; Stinker Store #108; Stinker Store #113; Stinker Store #122; Stinker Store #75
- Palace Event Center, LLC dba Palace Event Center

Resolution no. 24-065

MEETING WITH ASSESSOR'S OFFICE TO CONSIDER VARIOUS NEW AND RENEWING PROPERTY TAX EXEMPTIONS UNDER CODES: 63-602P, 602W, 602D, 602P, 602B, 602C, 602E, 602GG, AND 50-2014

The Board met today at 9:32 a.m. with the Assessor's Office to consider various new and renewing property tax exemptions under codes: 63-602P, 602W, 602D, 602P, 602B, 602C, 602E, 602GG, and 50-2014. Present were: Commissioners Leslie Van Beek and Zach Brooks, Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Assessor Brian Stender and Appraiser Supervisor Holly Hopkins (joined at 9:44 a.m.) and Deputy Clerk Jenen Ross.

The property tax exemptions were considered as follows:

63-602B – Religious

31793395 0 Crossroads Community Church
31793399 0 Crossroads Community Church Inc
17544000 0 Melba Friends Church Limited

17537000 0	Melba Friends Church Ltd
32510010 0	Centennial Baptist Ch Inc
12514000 0	Ch Of the Nazarene
13681000 0	Grace Episcopal Ch Of Na
17607033 0	Canyon County Church of Christ Inc
30381000 0	Fellowship Baptist Church Inc
14303000 0	Fairview Church of The Nazarene Inc
14329000 0	Fairview Church of The Nazarene Inc
14327000 0	Fairview Church of The Nazarene Inc
05096000 0	Ch Of God of Prophecy Regional Office Inc
18689000 0	Middleton Ch Of Naz Inc
02709000 0	Protestant Episc Ch Of Id

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the exemptions.

63-602C – Charitable

61111023 0	Terry Reilly Health Services (Clinic)
64941541 0	Terry Reilly Health Services
64941714 0	Terry Reilly Health Services
64941543 0	Terry Reilly Health Services
64941544 0	Terry Reilly Health Services
64941545 0	Terry Reilly Health Services
64941540 0	Terry Reilly Health Services
64941542 0	Terry Reilly Health Services
61111021 0	Terry Reilly Health Services (Dental)
64941936 0	Terry Reilly Health Systems
64941937 0	Terry Reilly Health Systems

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the tax exemptions.

63-602D – Hospitals

64932721 0	St Alphonsus Physician Serv Inc
64935408 0	Saint Alphonsus Physician Services Inc
64937538 0	Mercy Physician Cardiology
64940645 0	Nampa Hospital
64940651 0	NHP Stars
64940652 0	NHP OCC Med
64940654 0	NHP Wound Hyperbaric
64940655 0	SAMG Nampa Ob Gyn
64940656 0	General Surgery Nampa
64940734 0	Saint Alphonsus Regional Medical Center Stars
64941099 0	Birkeland Maternity Center & Heart Care Center
64941293 0	St Alphonsus Medical Center Karcher Clinic

64941585 0	Saint Alphonsus Emergency Department Neighborhood Hospital
64941628 0	Saint Alphonsus Physician Admin Offices
60664500 0	St Lukes Regional Medical Center
64936391 0	St Lukes Regional Medical Center Ltd
64940185 0	St Lukes Regional Medical Center
64940186 0	St Lukes Regional Medical Center
64940243 0	St Lukes Regional Medical Center
64941410 0	St Lukes Regional Medical Center
64941482 0	St Lukes Regional Medical Center
64941492 0	St Lukes Regional Medical Center
64941625 0	St Lukes Regional Medical Center
64941624 0	St Lukes Regional Medical Center
64937764 0	St Lukes Regional Medical Center Ltd
64941679 0	St Lukes Regional Medical Center
64941896 0	St Lukes Cancer Treatment Center
31084000 0	Saint Alphonsus Medical Center Nampa Inc
31084012A0	Saint Alphonsus Medical Center Nampa Inc
31095000 0	Saint Alphonsus Medical Center Nampa Inc
31112010 0	Saint Alphonsus Medical Center
31104011 0	Saint Alphonsus Medical Center Nampa Inc
31104012 0	Saint Alphonsus Medical Center Nampa Inc
31096000 0	Saint Alphonsus Medical Center Nampa Inc
31098000 0	Saint Alphonsus Medical Center Nampa Inc
31099000 0	Saint Alphonsus Medical Center Nampa Inc
31099010 0	Saint Alphonsus Medical Center Nampa Inc
31100000 0	Saint Alphonsus Medical Center Nampa Inc
30995000 0	St Lukes Regional Medical Center Ltd
30995011B0	St Lukes Regional Medical Center Ltd
01649000 0	St Lukes Regional Medical Center Ltd
30995011 0	St Lukes Regional Medical Center Ltd
30995011F0	St Lukes Regional Medical Center Ltd
30995012 0	St Lukes Regional Medical Center Ltd
01646010 0	St Lukes Regional Medical Center Ltd
01648000 0	St Lukes Regional Medical Center Ltd
32043142 0	St Lukes Nampa Medical Center Ltd

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the tax exemptions.

63-602E – Education

60204000x0	US Bank National Association
64935345 0	Quadient Leasing USA Inc
64935344 0	Quadient Leasing USA Inc
64941106 0	TIAA FSB

64940104 0	Greatamerica Financial Services Corporation
60724001 0	Greatamerica Financial Services Corporation
60724000 0	Greatamerica Financial Services Corporation
64941673x0	Greatamerica Financial Services Corporation
64941394 0	Canon Financial Services Inc
64933876 0	Canon Financial Serv Inc (WI)
60686650 0	Canon Financial Services Inc
00838000 0	College of Idaho Inc
00841000 0	College of Idaho Inc
00842000 0	College of Idaho Inc
00843000 0	College of Idaho Inc
00845000 0	College of Idaho Inc
00851000 0	College of Idaho Inc
03820000 0	College of Idaho Inc
03955000 0	College of Idaho Inc
07216000 0	College of Idaho-Campus
07311000 0	College of Idaho
07314000 0	College of Idaho
36822011 0	Canyon Owyhee School Service Agency

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the tax exemptions.

63-602GG – Low income housing

06438106 0	Advocates Against Family Violence Inc
06438102 0	Advocates Against Family Violence Inc
35333212 0	Advocates Against Family Violence Inc
35333236 0	Advocates Against Family Violence Inc
35129131 0	Advocates Against Family Violence Inc
32564318 0	Advocates Against Family Violence Inc
32480180 0	Advocates Against Family Violence Inc
32504483 0	Advocates Against Family Violence Inc
06438114 0	Advocates Against Family Violence Inc
19406000 0	Elderly Opportunity Agency Inc
38770000 0	Elderly Opportunity Agency Inc
36243000 0	Idaho Friends Retirement Homes Inc
12983500 0	Trinity New Hope Inc

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the tax exemptions.

63-602B - Religious

17999000 0	Christian Faith Center Assembly of God Inc.
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This is a new church and the Assessor's Office is recommending approval. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the tax exemption.

199280000 Golden Gate Neighborhood Church Inc.

This property was previously exempted and recently gifted from the Baptist church to Golden Gate Church. The Assessor's Office is recommending the tax exemption be granted. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

142980000 Fairview Church of the Nazarene

This property will be used as a parsonage for the church and the Assessor's Office is recommending the tax exemption be granted. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

317980000 Crossroads Community Church

The Assessor's Office is recommending denial as the parcel is not currently being used for religious purposes. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to deny the exemption for this parcel.

317933940 Crossroads Community Church

Based on research done by the Assessor's Office it appears that a portion of this parcel is being used by a 'for profit' entity, therefore they are recommending only a partial exemption be granted. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant a partial exemption.

63-602C – Charitable

148951320 Genesis Community Health Inc.

The Assessor's Office is recommending approval and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

136860000 House Next Door Inc.

The Assessor's Office is recommending approval and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

160700000 and 160700100 Terry Reilly Clinics/ Community Health Clinics

The Assessor's Office is recommending approval for both parcels and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant the exemptions.

63-602E – Educational

178850100 Sage International School

The Assessor's Office is recommending approval and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

64942009x0 De Lage Landen Financial Services Inc.

The Assessor's Office is recommending approval and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant the exemption.

039560000 College of Idaho

A representative from the College of Idaho has reached out to the Assessor's Office notifying them that this parcel was no longer being used for educational purposes and requested this application be removed. Since it had already been submitted, the Assessor's Office felt the best way to handle would be to officially deny the exemption. Commissioner Brooks made a motion to deny the exemption. The motion was seconded by Commissioner Van Beek and carried unanimously.

63-602W – Site Improvements Associated with Land

This exemption code applies to owner/developers until a home is built and sold. The following applications were received:

- Brighton Development Inc. for Arbor Sub No. 4 (approx. 40-50 parcels) and Arbor Sub No. 5 (approx. 80 parcels)
- Boise Hunter Developers LLC for River Park Estates No. 1 (approx. 100 parcels)

The Assessor Office is recommending approval and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to grant the exemptions. *A detailed list of each parcel is on file with this day's minutes*

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

PUBLIC HEARING – REQUEST BY MARTIN MAESTREJUAN FOR A CONDITIONAL REZONE FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-R" (CONDITIONAL REZONE - RURAL RESIDENTIAL) ZONE, AND A PRELIMINARY PLAT AND IRRIGATION PLAN FOR FLYING ARROW LANDING SUBDIVISION, CASE NO. CR2023-0006/SD2023-0009

The Board met today at 1:32 p.m. to conduct a second public hearing in the matter of a request by Martin Maestresjuan for a conditional rezone of approximately 27.17 acres from an "A" (Agricultural, 40-acre minimum lot size) zone to a "CR-R-R" (Conditional Rezone - Rural Residential) zone. The request includes a development agreement. The request also includes a preliminary plat and irrigation plan for Flying Arrow Landing Subdivision, consisting of 12 residential lots and 1 private road lot. The subject property is located at 18257 Batt Corner Road, also referenced as Parcel R37244011. Present were: Commissioners Zach Brooks and Leslie Van Beek, DSD Principal Planner Dan Lister, Planning Supervisor Carl Anderson, DSD Director Sabrina Minshall, Deputy PA

Zach Wesley, Martin Maestrejuan, Kurt Smith, Todd Lakey, Pat McCarty, Tanya Robinson, Alan Mills, Samantha Parrott, Camas Villafana, Keri Smith, George Crookham, Daniel Middelhoven, Alex Villafana, Ron Amarel, and Deputy Clerk Monica Reeves.

DSD Principal Planner Dan Lister gave the oral staff report. The first hearing for this case was held on January 18, 2024 where the Board voted to approve the case based on a previous interpretation of the code at the time and it required a second hearing. The Board directed staff to come back with findings of fact and conclusions of law for approval for both cases to be based on Exhibits #8 and #9, which were the initial draft of the FCO's provided to the P&Z Commission for approval that they did not accept. The FCO's provided to the Board, Exhibits #23 and #24, are the approval documents as directed. There are four conditions which remained the same except for the removal of the condition regarding building envelopes. The conditions for the subdivision portion of this case have not changed from the original FCO's. There are 11 conditions. Since the last hearing three letters of opposition were received, as well as one neutral letter from DeRuyter, and one "no comment" letter. Comments were received from Mr. Maestrejuan which included the minutes from the City of Homedale's meeting denying the request to connect to the city well. A comment was received from a neighbor requesting to postpone the hearing and a request to attend the hearing via Zoom, which was declined. On page 2 of the staff report addendum it states George Crookham emailed letters for DeRuyters, but they were actually dropped off. Staff made an error when they said the DeRuyters opposed the request but they are in a neutral position.

The following people testified in support on the request:

Todd Lakey testified the requested rezone conforms to the current comprehensive plan and zoning ordinance and should be approved. The new comprehensive plan designates the property and surrounding area as rural residential, which means it's planned and intended for growth, particularly as a transition between more urban development and more dense development from the city to the south and the agricultural uses further to the north. This area is planned for transition. This property is included in the area of impact for the City of Homedale. Many of those who expressed opposition live on 1-5 acre lots and they seem to advocate for development coming out from the city which means more density and urban-type development which is not consistent with a rural residential designation. The Board's previous approval and analysis were correct and the applicant agrees with the FCO's that are in the staff report. The application is in conformance with both the comprehensive plan and zoning ordinance for the County and for the City of Homedale's (they do not have their own so they use the County's). There is existing rural residential zoning in the immediate area. Mr. Maestrejuan met with the City of Homedale and they went through the water study he prepared and the nutrient pathogen study he completed showing that this property is appropriate for this type of project. The city did not want him to connect to their city well because they prefer to keep that well capacity for the industrial and commercial along Highway 95 and the dense urban development as it comes in the future. Mr. Maestrejuan submitted an application in 2021 which was denied and as part of that denial the counsel he was given was to demonstrate how he complies with the comprehensive plan. Now we have a comprehensive plan that supports the application. Mr. Lakey reviewed the zoning in

the area and said there is an existing pattern of rural residential type lots particularly up Batt Corner Road to the property. The rural residential language in the zoning ordinance is to provide a rural lifestyle in suitable locations like impact areas. The project will bring 11 new residences. Mr. Maestrejuan already lives on the property so it's a really small project with very low impact. There are 7 subdivisions within one mile with 48 lots; the average lot size is 1.07 acres. The comprehensive plan goals and policies support the application. Jacob DeRuyter had previously submitted a letter and we know have the letter provided by Mr. Crookham from Nick DeRuyter that contained his signature stating their position is neutral. The applicant has addressed the technical issues in this case; he performed a water study and a nutrient pathogen study, and the site is appropriate for this development. He has worked with the highway district and they noted there would be no negative impact on Boehner Road and Batt Corner Road. The project will comply with the fire district requirements. Mr. Lakey said the applicant is okay with the inclusion of some of the CC&R provisions and included them as conditions so it provides an avenue for enforcement with the County. This project will have two-acre lots with nice custom homes.

Tanya Robinson has been a Canyon County resident for 15 years and a realtor in the valley for 22 years and she specializes in rural living/agricultural living and she has a big clientele and database that are looking for this rural way of life. There is a demand for this type of project and it is consistent with the area. It helps create balance within the County of not just developing urban and leaving 40-acre tracts of farm ground.

Alan Mills testified some of those in opposition say the project is too early and the applicant should wait until the City of Homedale gets to this property, but it's obvious that if the city gets to the property it would be a denser project and if we follow that line of thinking we would never see a product like what is being proposed today. Some of the people in opposition have very similar parcels to what is being proposed by the applicant. Every comp plan from the 1970s to now has a component to encourage a variety of housing living types and we should allow for those who want to participate in FFA and 4-H and raise their own food and animals to stay in and contribute to Canyon County and have that opportunity. There needs to be a balance of private property rights.

Kurt Smith, the project engineer, testified they submitted minutes from the City of Homedale where they opposed including this project in their water system. He said there is an error on Page 6 of Exhibit #23 which states the preliminary plat includes sidewalks along the private road as requested by the City of Homedale, but the applicant has not included sidewalks. The preliminary plat never showed sidewalks, it only curb and gutter. They have done their research and studies and have worked with the governing agencies and at this time there are no red flags or issues that prohibit them from following all the recommendations and requirements of those agencies as they finish plans and go into construction. Commissioner Van Beek had questions regarding the access and irrigation easement. Principal Planner Lister said the applicant is requesting the County waive requirements for streetlights and sidewalks for the project but staff does not see any requirement for that so it will be up to Board if they want to waive those improvements.

Martin Maestrejuan testified that he grew up on a cattle ranch and agriculture is a part of his lifestyle and it's an opportunity he would love to provide for his son. A 30-acre hobby farm is no different than a 2-acre hobby farm in the sense they are both hobby farms. There is a demand for horse properties and the equestrian lifestyle and the project he proposes to send the conditions to all neighbors within 600 feet showing them what the lot purchasers agree they won't complain about farming and agricultural operations and activities.

The following people testified in opposition to the request:

Samantha Parrot is the Executive Director of the Snake River Sugar Beet Growers Association which represents 700 sugar beet growing families across Idaho, Oregon and Washington. Sugar beets are billion-dollar industry in Idaho. Ms. Parrot is opposed to the conditional rezoning of the property. They recently opened a sugar beet receiving station approximately two miles from the subject property after closing a receiving station in Wilder and Homedale and consolidated them to make a larger receiving station in this area because there were no homes or development around it. The new station called *Fargo* runs 7:00 a.m. Monday through Saturday and there is a lot of noise, lights for safety, and traffic coming in and out of that station. Last fall there were 60,000 tons of sugar beets that were delivered there and with their truck traffic it's roughly about 4,200 sugar beet farm trucks going in and out of the property, and about 1,800 semi-trucks that pick up the beets and deliver them to the Nampa factory. The proposed project is really close to the sugar beet station and it will be disruptive to the residents. The Census of Agriculture showed between 2017 and 2022 that Idaho lost 144,000 acres of farmland. Ag is a huge economic driver but farmland preservation should be one of the highest priorities of the County. Ms. Parrott asked the Board to reject the Maestrejuan proposal.

Camas Villafana testified she and husband farm southeast of the subject property and they have about 500 acres they farm on smaller parcels. She asked the Board to consider the letters of the farmers who are not present today with as much weight as those who are testifying in-person today. The P&Z Commission voted 6 of 6 to deny this request and their main points were from the 8 criteria for a conditional rezone. She reviewed the 8 criteria for a conditional rezone:

Is the proposed rezone consistent with the comprehensive plan? Technically yes, however, there are 3,900 acres as part of that residential rezone for the 2030 comp plan and to develop this one parcel out of that 3,900 acres might be the tipping point for the rest of it to go and that would be very inconvenient for the people who are farming there today.

Is the proposed rezone more appropriate than the current designation? Absolutely not, all of the farms in the area are current businesses who want to keep farming and there are very few additional residences that have been added. The only residence that's been added is Mr. Maestrejuan's current residence on Batt Corner Road, and to her that says this is not trending residential. If he doesn't want to farm the property there are plenty of farmers who would want to farm his 27 acres. Potatoes and onions are grown in the area; there is an onion facility $\frac{3}{4}$ of a mile away; a hop facility is located a $\frac{1}{2}$ mile away and Amalgamated Sugar has property 1-2 miles

away. The DeRuyters are removing their support and are now neutral and they farm a ¼ mile away. To put a new subdivision in the middle of farm ground is not an appropriate use of the 27 acres.

Is the proposed conditional compatible with surrounding land uses? Absolutely not, this is an ag area. There are 124 farmable acres between the subject property and Homedale so to say this parcel should be rezoned would theoretically say the 124 acres before that would need to be residential before you get to that point in order for it to fit into the area of usage.

Ms. Villafana said the State of Idaho passed a new bill to protect agriculture and it is now up to the counties to protect agriculture. We need to protect ag lands and keep this property in agricultural use rather than residential use.

Keri Smith testified that she has been representing the agricultural community for the last year. On the staff report addendum, No. 3 of Page 2, under the decision options include “Sign the ordinance amending the zoning map, Exhibit 26” ... but she said this is not in compliance with CCZO 07-06-07(3) for an order of intent to rezone based on the standards listed in that section. The legal notices were not posted for that and she is certain an ordinance directing a map change was not included in those legal notices to the cities. There was no evidence or testimony received today that refuted evidence in the record regarding impacts to agriculture and the character of this area. One comment was the comp plan talks about variety of housing, and there are policies on the variety of housing, however, the goal and purpose of that comp plan was the importance of agriculture and the economic value it adds to the community. Does the map say residential? It does, but she thinks that is an error because when you look at Exhibits 3. F1 and 3 F2 you can see that the soil map and prime farmland that is all green. This is a predominately agricultural area. When looking at the small vicinity map (Exhibit 3b) there are four large farms over 40 acres that touch this property, and three of the 4 all stated reasons why this will impact their ability to farm. Regarding the criteria that has to be considered, the presiding party shall review the particular facts and circumstances of the proposed conditional rezone. There are 13 exhibits in the record today that specifically call out impacts to agriculture and the changes to the character of the area: Exhibits 5f, 5g, 5j, 5k, 5o, 5q, 5s, and 5t; as well as Exhibit 18, Exhibit 20, and Exhibit 21, and Exhibit 12 if you include the P&Z Commission’s specific findings about the impacts to agriculture, citing the same as staff in their staff report that is still a part of the record that talks about the impacts to agriculture, and Exhibit 11. CCZO 07-06-07(3) states that designation of a parcel of C-R shall not constitute spot zoning and shall not be presumptive proof that the zoning of other property adjacent to or in the vicinity of the conditionally rezoned property should be rezoned to the same. The addendum to support the last Board’s decision directed staff to change those FCO’s to include those conditional rezones. On Page 6 of the addendum, staff cites what those four examples of zoning in that area where he is trying to help the Board establish that this area has changed; however, the first rezone was in 2013 for three lots with an average lot size of 6.16 acres. The 2017 rezone was a classic split by former commissioners during a time when approvals were rampant and it was for 2 lots, a 5-acre parcel and a 16-acre parcel with an ag restriction dedication. The 2020 rezone with 3 lots approved a 16-acre parcel and two 3-acre parcels. There is no consistency, there is no decision that’s on the record in this area other than a comp plan map the

Board has shown concerns with. Commissioner Van Beek asked what it meant to her when the transition area designation was developed. Ms. Smith said it meant ordinances would be put into place to define what that transition area looked like. Right now all you have is a map that has the rural residential designation and you don't have any ordinances that support how those areas will be developed. This Board has not chosen to implement any of those types of things so if you look at the text it is incredibly supportive of agriculture in areas. There is a lot of evidence about the types of row crops and facilities that are doing farming production and so when you look at the text of the comp plan there is a lot of credit towards existing ag areas. Does the map match it? yes, but nothing else does. Commissioner Van Beek asked if she would say that the comp plan was either premature or the ordinance should have come first, or both? Ms. Smith said no, comprehensive plans often get passed first and then staff should have received direction to immediately start working on ordinances to implement the plan. She would have liked them to be done together yes, but there was a lot of discussion from staff on why they did not support that. Commissioner Van Beek said they might disagree on that; the ordinances should have been evaluated and some of those subarea plans looked at. Ms. Smith said that's fine but don't perpetuate the problem with today's decision.

George Crookham read a letter from Dwayne Fisher who is the General Manager of Tamura Farms, Tamura Brothers, and Tamura, Incorporated. They own five field parcels on approximately 165 acres within 200 feet of Mr. Maestrejuan's proposed conditional rezone and subdivision. The farm ground they own grows onions, grain, seed corn, mint, beets, field corn, and most of the area is designated as prime land with class 3 or better soils. It's his understanding the Board reversed the decision of the P&Z Commission and are considering approval today, most of this decision relied on the adoption of the 2030 comprehensive plan which designated the property as rural residential, however, this designation clearly does not consider the existing agricultural users and in his opinion is wrong. Please support the farmers and ranchers in the area and maintain the viability of farming. With the development pressure that has already taken place within a few miles of the subject property they have seen direct impacts to their ag operations. A few years ago Canyon County stopped developing land by conditional use permit and he asked them to stop this same type of development by condition rezoning. A change in use of the land will impact their operations negatively and as already identified in the proposed decisions and findings today this conditional rezone like the other three previously approved will set a precedence for further rezoning of this area. Save this great farmland from development and deny the conditional rezone and subdivision. Direct impacts on agricultural operations in the local area include:

- Residential development in the middle of farmland creates conflicts and imposes new burdens on neighboring ag producers including but not limited to, increased accidents between tractors, farm implements, and vehicles.
- Limits their ability to perform modern innovative and proper farm practices due to housing developments.
- Restricts their ability to grow certain seed crops due to proximity to home gardens.
- Budgets and in turns taxes of the irrigation companies have grown substantially due to labor costs associated with increased population and growth along canal systems.

- Ditch riders used to drive quickly to mitigate dust and now have to drive slow enough so the complaints are kept to a minimum.
- People moving into the area are not familiar with smells, noise, dust, and long hours associated with general farming practices, feedlots, and dairies. Thus complaints about farming are consistently made regardless of the Idaho Right to Farm Act and they must stop work and defend their practices.

Daniel Middlehoven works for Villafana Farms and dreams of owning his own farm someday, and when he sees smaller parcels being sold for subdivisions it makes him sad. He testified about the struggle moving farming equipment on the roadways.

Alex Villafana testified about the nervousness and trauma that has come with moving heavy equipment around the area. He moves a tractor nearly every day on the road and spoke of three incidents he was involved in during the last 2 years. In May of 2022 he was on a tractor on Red Top Road and he was hit by a minivan travelling 60 mph. The cultivator was totaled at a loss of \$60,000. The driver was undocumented and uninsured and gave the police a false insurance card and false phone number. On May 7, 2023 he was driving a tractor and a lady exiting a driveway on Boehner Road ran him off the road. On March 8, 2024 he was rear-ended while driving a pipe trailer on the corner of Boehner Road and Fargo Road, a quarter of a mile away from the subject property. Mr. Villafana spoke about House bill 608, which is an ag protection bill recently signed, and Todd Lakey voted in favor of the bill to protect Idaho farmland.

Ron Amarel testified that he respects the comprehensive plan and the Idaho way of life. The comprehensive plan is meant to be executed over time, but based on the character of the surrounding area this development is premature. It's spot zoning or leapfrogging and the effects of that and the stress placed on farm practices are real, and in some cases, it eliminates farmland. Maybe not everyone understands isolation distances, but when you leapfrog and go a ¼ mile and then put in small farms you are eliminating all the land around it for at least one mile, and some of the isolations in seed production are three miles. It has a tremendous effect on farmland. He said they are tracking the process of zone changes and the database is showing the reduction in acreage. He asked the Board to not rezone the County, the economy, ag businesses into bankruptcy.

Rebuttal testimony was offered by Todd Lakey who said the application conforms with the comp plan and zoning ordinance for Canyon County and the City of Homedale. Those in opposition want the Board to ignore the location of the property and the fact that it's in the impact area and it is designated in the comprehensive plan and rural residential. The rural residential designation is for transition between city and agriculture, but with higher density residential and that essentially eliminates you're the rural residential designation in the comprehensive plan. There is existing rural residential development in the area so the impacts that some in opposition discussed are already there and those operators are still operating. The technical reviews have been done. The highway district noted that there would be no negative impact on traffic patterns. You cannot assume that the people who buy these properties are going to be illegal aliens who don't driver's licenses or are going to drive poorly. The beet dump was put in place after the comprehensive

plan was approved. The comprehensive plan, however, is still part of the character of the area and it designates this as an impact area. This is a small project with only 11 lots so it's a negligible impact to the character overall with minimal traffic and safety concerns. Two individuals raised the ag preservation bill so he will mention it briefly. The bill was sponsored by Farm Bureau and it is completely voluntary and it is not a government mandate that somebody preserve their farm ground. It says those that choose to apply to have that designation which ultimately has to be approved by the Board of Commissioners that their designation cannot impact anybody else. Use of the ag preservation bill against him or his testimony is inaccurate; they don't understand the bill. The area is appropriate for transition under the zoning ordinance and the comprehensive plan. Following his testimony, Mr. Lakey responded to questions from Commissioner Van Beek. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. The Board had follow-up questions for Principal Planner Lister who provided the following information:

History

In 2021 the Board denied the request for a comprehensive plan map amendment and conditional rezone and platting and the denial was based on the 2020 comprehensive plan where it was in the city's impact area but our designation showed it to be agriculture. The 2030 comp plan was adopted showing the rural residential designation. This application started with the P&Z Commission, and staff recommended approval because they could make the findings. The P&Z Commission found it did not comply with those findings and staff revised the findings based on the request of the P&Z Commission. Those findings were recommended to Board and at the hearing on January 18, 2024, those findings of fact, conclusions of law were provided to the Board based on the P&Z Commission's recommendation and the Board wanted to approve the request.

The First Three Criteria

How did staff make positive findings for those? How were those findings made? They showed the area had other uses, but they also defined a lot of those uses were there from the 1970s that made that area commercial or residential. They also identified there wasn't much growth since that point but there are existing uses out there. They identified the 6 decisions that did occur; 2 were full rezones and the rest were conditional rezones and a lot of the conditions that were applied were based on the conditions that were applied in other cases. They also identified that it is still agriculture and it may be premature, but staff found it is similar to the area due to the existing decisions that had been made in that location.

The Board deliberated on the conditional rezone criteria in accordance with CCZO 07-06-07(6). They found the proposed conditional rezone is generally consistent with the comprehensive plan because it was included that designation with the change from 2020 to 2030. It's in the area of impact and it has the zoning designation and it aligns with the comprehensive plan map.

The proposed conditional rezone is more appropriate than the current zoning because it refers back to the comprehensive plan and previous land use decisions in the area. Dave Christensen held the property where Timberstone Golf Course is located which is 3 miles away. The DeRuyters have a feed operation out there and it is bordered on the south by Cherry Hill Farms. According

to the comprehensive plan the Board is to recognize each land use application is unique and agricultural and nonagricultural uses may be compatible and coexist in the same area and in some instances require conditions of approval to promote compatibility. Noah's Landing Subdivision has one-acre lots and is zoned R-1 and is less compatible than what Mr. Maestrejuan is proposing with 2-acre parcels that match the rural residential designation. Within one mile of the subject property there are 7 platted subdivisions and 48 lots.

Does it negatively affect the character of the area? There are aspects of custom home developments that are enhancements. The Board supports staff's findings and wants to eliminate any possibility of secondary dwellings to double the number of dwelling units on the property.

Will adequate Facilities and Services be provided? Yes, the Board is in concurrence with the findings. The applicant has done their due diligence; the City of Homedale is reserving their capacity. In the absence of reliance of city services which would increase the density that would change the nature and character of the area and to some extent Mr. Lakey's comments that it appears to be an elimination of any rural lifestyle to say that the city services have to accommodate. High density would change this area. There would have to be individual wells and septic.

Does it require public street improvements to provide adequate access to minimize interference with traffic patterns? Golden Gate Highway District has said the lots have legal access and that no undue interference with existing or future traffic patterns will be created by this project. The Board finds legal access does exist.

Will the proposed rezone impact essential public services and facilities, and what measures will be implemented to mitigate impacts? Wilder Fire provided comments and there is supposed to be review of the turnaround points; neither the Homedale School District nor the Canyon County Sheriff's Office provided comments. This is an 11-lot development.

Commissioner Van Beek said the Board is trying to bring balance on property rights, but we are still working through some of the issues. In the process of evaluating the comprehensive plan, she saw 19 letters from farmers in the Middleton area representing more than 19,000 acres and so the one thing that seems missing in this is what it looks like from the farmers side when they're at the end of their farming career.

Principal Planner Lister said the preliminary plat includes curb and gutter along the private road, but not sidewalks. The Board could acknowledge the waiver of sidewalks and the correction that staff did not mean to include sidewalks in the report. Commissioner Brooks is in favor of not requiring sidewalks because they have a high-density feel but this development is rural in nature.

The Board reviewed the conditions of approval. Commissioner Van Beek said when this was denied there was not a definition of the phrase *not yet* and at that time it was agriculture under the 2020 comprehensive plan and if there was a mistake and this was overlooked, it was not timely. It says we did not evaluate the plan carefully enough or we were comfortable enough with

going back and living with the fallout on either side. These are messy, and she said she lobbied for a deeper dive than what we got.

Planner Lister clarified that in the findings staff stated there are six similar decisions, but the findings show four. Three and four go into the first surrounding subdivisions approved in that location. The similarities were based on conditional rezones, but as part of the assessment they went over the different ones in that location which total seven, but he only counts six because one was denied in 2021.

Commissioner Brooks is in favor of moving forward because he has seen nor heard anything to change his opinion from the first hearing. Commissioner Van Beek said the County is in need of looking at what's been done historically and balancing that with where we are going for the future of Canyon County. We are trying to represent and work with a document that is incomplete. What was stated at the 2021 hearing was that it had to meet the comprehensive plan on what it would take to gain approval. The term *not yet* is not defined in the 2030 comprehensive plan, and it's not the only definition that's missing. There is evidence of this type of transition between largescale diversified agriculture and a property owner's right who is not going forward and she is ready to move forward with the findings that have been presented today. Commissioner Brooks made a motion to approve the conditional rezone to allow the subject parcel to be amended from an "A" (Agricultural) Zone to a "CR-R-R" (Conditional Rezone - Rural Residential) Zone based on the FCO's for Case No. CR2023-0006, and that the Board sign the FCO's, the development agreement, and the ordinance amending the zoning map. Sidewalks for the development are not required but curb and gutter will remain intact. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Brooks support staff's recommendation of the FCO's for the preliminary plat. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the preliminary plat and sign the FCO's for Flying Arrow Landing Subdivision, Case No. SD2023-0009, subject to the conditions of approval as recommended with the amendments stated on the record by DSD Principal Planner Lister. The signed FCO's as well as the development agreement (No. 24-036) and the ordinance (No. 24-003) are on file with this day's minute entry. The hearing concluded at 3:25 p.m. An audio recording is on file in the Commissioners' Office.

APRIL 2024 TERM

CALDWELL, IDAHO APRIL 18, 2024

APPROVED PAYROLL

- The Board approved the April 19, 2024 payroll in the amount of \$2,293,998.04

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Martha Ortega, Clerk I, underfill
- Randee Schlapia, promotion to Clerk III
- Debra Stufflebeam, promotion to Area Supervisor

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- JM Assets LLC dba Garbonzo Pizza
- Smoky Mtn Pizza & Pasta Nampa LLC dba Smoky Mountain Pizzeria Grill
- JLC 2 Inc. dba Idaho Pizza Company
- JLC Corporation dba Idaho Pizza Company
- JLC 9 Inc. dba Idaho Pizza Co.
- Walmart Inc. dba Walmart #4494; Walmart #4180; Walmart #2781; Walmart #2780; Walmart #3739

(Resolution no. 24-067)

MEETING TO CONSIDER AN ACTION ITEM:

The Board met today at 9:45 a.m. to consider an action item. Present were: Commissioners Leslie Van Beek and Zach Brooks and Deputy Clerk Jenen Ross. The action item was considered as follows:

Resolution approving an alcoholic beverage transfer license for Darice Feigel dba The Undiscovered Barrel: Commissioner Brooks stated that he has reviewed the application and it appears the business has moved locations. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving an alcoholic beverage transfer license for Darice Feigel dba The Undiscovered Barrel (resolution no. 24-066).

The meeting concluded at 9:47 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC MEETING (NOT A PUBLIC HEARING) TO CONSIDER AN ORDINANCE OF CANYON COUNTY, IDAHO, AMENDING CHAPTER 1, ARTICLE 17: LAND USE/LAND DIVISION HEARING PROCEDURES; OF CANYON COUNTY CODE OF ORDINANCES; AND SEVERABILITY CLAUSES; AND AN EFFECTIVE DATE AND TO CONSIDER AN ACTION ITEM

The Board met today at 10:31 a.m. for a public meeting (not a public hearing) to consider an ordinance of Canyon County, Idaho, amending chapter 1, article 17: land use/land division hearing procedures; of Canyon County code of ordinances; and severability clauses; and an effective date and to consider an action item. Present were: Commissioners Leslie Van Beek and Zach Brooks,

Deputy P.A. Zach Wesley, DSD Planner Sabrina Minshall, Associate Planner Arbay Mberwa, Communication Specialist Chad Thompson, Interested community members and Deputy Clerk Jenen Ross.

Commissioner Brooks provided a review of the steps that have been taken on this ordinance as follows:

- 12/14/23: A public meeting/ Board workshop was held but was continued. During that meeting Commissioner Holton clarified the difference between a public meeting and a public hearing and gave explanation as to why this is procedure ordinance in chapter 1 of the county code is not subject to a public hearing.
- 12/20/23: The continued meeting/workshop took place.
- 3/20/24: There was an additional meeting with the revised ordinance. A written public comment period was open from 3/20/24 – 4/10/24. The feedback has been invaluable and provided some insight as to the need for some additional changes for clarity. Eight unique letters were received, one of the eight letters was signed by 15 citizens and another was signed by 6 citizens. DSD staff and legal have reviewed the letters and they will be proposing additional changes to the Board regarding the comments related to clarity and how internal processes can be revised to reduce the time prior to the hearing that written materials can be submitted.
- Commissioner Holton is out of the office today and the Board would like for the full quorum to be present for this discussion and decision.
- The intent of the Board is to post the revised version of the ordinance on the Board's agenda page and on the DSD land use page 48-hours prior to the meeting in which the Board will deliberate.

Commissioner Van Beek moved to continue this matter to April 24, 2024 at 9:30 a.m. The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Van Beek motioned to adjourn which carried in a unanimous vote.

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

PUBLIC HEARING – APPEAL BY NORMAN AND KATHRYN ALDER OF THE DIRECTOR'S DECISION TO APPROVE AN ADMINISTRATIVE LAND DIVISION ON NONVIABLE PARCELS IN AN AGRICULTURAL ZONE, CASE NO. AD2023-0007-APL (APPEAL OF THE DORGAN/KREIZENBECK CASE)

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of an appeal by Norman and Kathryn Alder of the Development Services Director's decision to approve an administrative land division of nonviable parcels in an Agricultural Zone. The subject property is located on the southwest corner of Can Ada Rd and Bonita Ln, also referenced as Parcel

R28683010. The original applicant, Orrin J. Dorgan represented by Ramesh Kreizenbeck, applied to divide the subject parcel into three residential parcels. The application was approved on the basis that the parcel consists of land with site constraints and/or resource issues and that the division would not create a negative impact to surrounding agricultural uses, per Canyon County Zoning Ordinance §07-18-09(5). Present were: Commissioners Zach Brooks and Leslie Van Beek, DSD Associate Planner Maddy Vander Veen, Planning Supervisor Carl Anderson, Deputy PA Zach Wesley, Assistant DSD Director Jay Gibbons, Kathy Alder, Norm Alder, Becky Alder, Michelle Hansen, Barbara Kerr, Ethan Hansen, Toby Arnold, Alison Arnold, Jon Stosich, Crystal Parkinson, Justin Parkinson, Dowanna Cox, Larin Cox, Jake Lords, and Deputy Clerk Monica Reeves.

Associate Planner Maddy Vander Veen gave the oral staff report. The original case was approved on August 2, 2023. The appeal was filed by Norman and Kathryn Alder on August 21, 2023. The original 20-acre parcel was divided into two parcels via Case No. AD2018-0129. The resulting 13-acre parcel from that case was approved to be divided into three parcels via Case No. AD2023-0007, a nonviable land division. The resulting three parcels will be served by a new private road off Bonita Lane. The private road name application was submitted but it is currently on hold during this appeal. The application stated the property has a lack of water rights, rocky terrain, and sub-quality soil. Per the Canyon Soil Conservation District's soil suitability map, the parcel contains class 3 moderately suited soils. The property has not been used for crop production based on historic aerial imagery. There was a review of agency comments and public comments. The case was approved with eight conditions of approval. Ms. Vander Veen addressed the questions that came during public comments:

- Canyon County Zoning Ordinance §07-10-03 requires private roads to be paved once they serve more than 10 single-family residences, and this must be met prior to receiving a certificate of occupancy on the 11th residence using the road.
- The specifics of who pays for the improvements are up to the property owners and the road users maintenance agreement. Currently Bonita Lane is used by five residences, and if the property is divided, it would increase the potential number of residences to 14.

The following people testified in favor of the appeal and in opposition to the Dorgan/Kreizenbeck application:

Kathy Alder testified that she is opposed to the division of the property because it is a viable parcel that has good productive soil that can be farmed. The only thing it lacks is water, but she said when someone drills a well for their home they can get water from the Idaho Department of Water Resources. She was not opposed when the parcel was first divided because it was meant to be larger acreages so it would coincide with agriculture. Mrs. Alder said the County ordinance conflicts with the definition in §07-02-03: viable farmland - land that can produce marketable farm animals or crops. Nowhere does it ask if it can have farm animals, or has it had farm animals; but the subject property has farm animals on it today and according to the definition, that makes the land viable. The Alders are experts on the viability of the land because they have farmed for over 50 years, and their grandparents homesteaded in Melba and their son is currently farming the

ground. Mrs. Alder said the County's ordinance is causing conflict throughout the valley because there are numerous places where people think they can easily divide their property and consequently the neighbors are not happy and so there is a lot of conflict. With the ordinance there was no requirement for a neighborhood meeting or signage, so people did not know the director was making a decision. The end of the ordinance says this is a onetime only division and once a nonviable parcel in an agricultural zone has been approved there will be no further administrative land divisions. She said in 2019 the people who live on Bonita Lane were told there would be no more divisions. The Parkinsons wanted a division for their parents, and they were told there were not any divisions available, and so she questions how this case was approved and given three divisions. She said corrections need to be made to the ordinance which coincides with viable farmland as defined in the Canyon County Zoning Ordinance §07-02-03 in the fact that farm animals are considered. Commissioner Van Beek said the ordinance section Mrs. Alder referenced is §07-18-09(9), and it references the onetime only division.

Norm Alder testified that he farms south of the proposed subdivision and he is very familiar with the area. His shop is located at the corner of Can Ada Road and Baseline Road and in that intersection there are roughly 7.25 milk trucks that come by daily. Milk trucks carry 8,600 gallons of milk and are allowed to carry 76,000 lbs. on the highway. Each truck carries almost \$10,000 worth of milk and so in a year's time there is \$26,398,999 in milk coming into the valley. He spoke of the various seed crops in the area noting that every fall millions of dollars come from the Melba valley. Mr. Alder said the subject property can be just as productive as all the land on all four sides of it.

Becky Alder testified that she and her husband farm the land to the south and she spoke about the difficulties they have had with people moving to the area and causing conflicts with agriculture such as dogs chasing cows, complaints about pesticide use, and the difficulties of moving farm equipment on the roadways with increased traffic. She is concerned the new lot owners will want additional splits.

Michelle Hansen lives on Bonita Lane and she is opposed to the subdivision of the property for several reasons. When they moved to the area they received 8 acres of water rights for 14 acres and they drilled a well. Her property is not flat, and it is far rockier than the subject property, but they have three acres of pasture and have raised marketable steers and pigs. They also have horses and fruit trees. The soil needs some tending but it is viable for agricultural purposes. Bonita Lane is a private lane with a road users' maintenance agreement but none of the users were notified of this division which puts an additional lane onto the road they have agreed to maintain. If the County wants to approve the split it must create a road onto Can Ada Road not onto her private lane. The new landowners are not a part of that agreement once they sell that property so the burden of maintenance falls on those who own the property and not on the developer nor those he plans to sell to. Ms. Hansen said they do a great deal of maintenance and they do not want additional traffic on the road because that landowner has done nothing to maintain the road.

Barbara Kerr lives on Bonita Lane behind Michelle Hansen and she supports the appeal by the Alders. Their ground is rockier and more uneven than the subject property and they have been

able to have a pasture and raise animals. People with smaller divisions do not understand what it takes to live in a farming area.

Alison Arnold lives at the end of Bonita Lane and she agrees with the Alders appeal. They have water rights and plan to put in pasture and raise cattle on their property. Regarding the road, the cannot enforce anything until the building permit for the 11th house is applied for and that permit requires they have to pave the road. There are five houses now and if three more get built that brings the total to eight and it's very possible some of the original six parcel owners will be required to have that very heavy financial burden of paving a road before they can build a house. There is one parcel that doesn't have a primary residence on it yet and she would feel horrible if they happen to be the 11th house that ends up with the financial burden. Ms. Arnold said the ordinance needs to be changed so those impacted by a shared private road will be notified about land divisions. She did not know anything about this division until the Alders appealed it.

Jon Stosich testified he agrees with the comments made in opposition to this viable land division. He farms ground to the west of the subject property and was part of the original developers of the six-lot development where they created large agricultural parcels, via administrative land divisions, to coincide with the area. This is really good farm ground and it has been permitted eight acres worth of water rights. When they originally put this together the County said if you have more than five lots because of the ability to put a mother-in-law quarters or a secondary residence the road would have to be paved. There was a deed restriction on the fifth lot and sixth lot so that if everybody built a secondary residence there wouldn't be the issue of who will pave the road unless at that point it would have had to be a full plat process in order to get any of the parcels divided and at that time they would have made them pave the road. The County thinks it looks like a viable piece of ground to apply the ordinance to but the neighbors are completely opposed to it. He said it could be divided in half with deed restrictions but according to DSD they cannot enforce the deed restrictions so we're back to square one that says it needs to stay as-is.

Crystal Parkinson lives on Bonita Lane and her property is adjacent to the subject property. She was not notified when the applicants applied for their split, but she heard about it from a neighbor but it was past the time to submit a letter. The notice was mailed to her previous address in Kuna that she has not owned for three years. She said the land is viable. She owns a small dairy and has a business where she sells milk, yogurt, and ice cream so she disagrees with the nonviable designation. Her sister owns property at the end of Bonita Lane and if she happens to be the 11th home she will have to pay for the road to be paved which is unfair since they were some of the first purchasers of the property and now the three new buyers will get to use the road without having to deal with any of the paving.

Justin Parkinson testified that he agrees Crystal Parkinson's comments. He said the land is viable and he spoke about how a neighbor changed a dirt bike track into farmland.

Dowanna Cox testified that before they purchased their property her husband wanted to see if their daughter (Crystal Parkinson) could split her lot and they were told they needed to go through the hearing process. They bought some property after building their home the found out that Mr.

Orwin was allowed to divide his land without the due process she and her husband were told they had to go through. Mrs. Cox said the road maintenance issue seems so vague and if her daughter, Camille Thompson, were to build a house on Bonita Lane, how would they enforce who has to pay have the road paved?

Larin Cox testified in favor of the appeal and on behalf of his daughter, Camille Thompson, owns the lot at the end of Bonita Lane. He agrees with the testimony that has been given so far. His daughter and her husband intend to build on their lot which they purchased knowing there were only so many lots and they had a building permit available. The proposed split would add three additional parcels and would make it so that if the Thompsons were the 11th parcel they would be responsible to pave the road and Mr. Cox strongly disagrees with that. They intend to build a home and use their approved water rights and they want to have pasture and animals on their lot. When the Thompsons bought their lot they were told they would not be responsible to pave the road because they would not have the additional 11th, 12th or 13th permit.

Commissioner Brooks asked if there was anyone who had not signed up to testify, or who had signed up but he missed calling their name? Jake Lords indicated he was here in a neutral capacity.

Seeing no opposition to the appeal, Kathy Alder was invited to make a rebuttal statement. Mrs. Alder said there are water rights on the land and the land is viable and it does not fit the ordinance, and at some point, she wants to discuss the ordinance. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. The Board's deliberation was as follows:

Commissioner Van Beek proposed changes to Finding No. 3 and No. 4 which deal with the constraints and the nonviable. During the comprehensive plan evaluation she did not support it because she did not feel it was vetted enough for special areas in the County. We did need an update and there were some changes she tried to provide input on but was disallowed by the former Board chair. This is the second hearing this week where there was an issue of agriculture that the incompleteness, the lack of special attention to areas like the seed capital in America were not considered at the level of evaluation it should have been. She is pro-Ag. To the question of whether the division would create a negative impact to surrounding agricultural uses, what was presented in the staff report, both written and verbal, is that this ground has been inactive and there has been a lack of attention. The other part of the ordinance that needs highlighted is §07-18-09(6) which says deliberate action to withhold agricultural land from productive use strictly to qualify for a land use division pursuant to this section, which is the nonviable section, shall disqualify such land from treatment under this section. The lack of farming given that there is water right, grazing, cattle, and a number of operations in this area, she thinks that is an automatic disqualifier for this parcel. This Board recognizes that that condition in the ordinance where the eleventh house trips the need for a paved roadway needs some work/update. An interruption by putting a residential development in the middle of that would disrupt the community and the longstanding agricultural interests that are represented there. The applicant is not here to represent his interest as an out-of-state developer and given the facts and merits of this case she wants to uphold the appeal and overturn the Director's decision and keep this as agricultural

ground. There is no submission in the application to limit a secondary residence or additional dwelling unit, and she finds that lack of diligence on the part of the applicant to further subdivide and allow additional dwelling units when there are people who purchase ground in good faith that they would not have to be the end-bearer of additional requirements. Commissioner Brooks referenced the lack of a definition for nonviable farmland and said the testimony appropriately summed up the ordinance that appears to have been hastily pushed through about the same time the comprehensive plan was. It lacks definition and when we have the opposite of nonviable farmland and viable farmland actually defined, and then testimony and proof that neighboring properties are participating in the raising of producing marketable farm animals or crops. The Board finds it meets criteria no. 1. Commissioner Brooks finds it that it is compliance with criteria no. 2. Commissioner Van Beek said to the farming community this could be considered a public nuisance if they have to stop aerial spraying so she wants to review that section more carefully. It meets the definition of viable farmland which would mean this does not meet the threshold for being extremely difficult for productive agriculture. The Board does not find support for criteria no. 3. Commissioner Van Beek said there are a number of impacts long-range and she does not find a way to mitigate and anytime we have to start putting a lot of conditions it's a wrong application. There was testimony that Bonita Lane already has a road users agreement and the people are paying to maintain it and so to infringe on that right where it's already being maintained without participating in a cost she finds that somewhat offensive. She has not found a way to mitigate the conditions that would protect the people that are landowners and actively farming. Melba is the heart of seed production in Idaho so to protect that economic industry and preserve what's out there, that is the ask over and over. This is an area where we want to provide special protection with an overlay or make a statement for the record that this needs special consideration. We need to protect the area. In response to a question from Planning Supervisor Carl Anderson, the Board wants staff to cite §07-18-09(6). Finding no. 4 needs to be changed. The Board finds that there is no way to properly mitigate for the number of potential negative impacts to this community at this time. Based on the findings of facts and conclusions of law and order, Commissioner Van Beek made a motion to approve the appeal of Case No. AD2023-0007 and overturn the Director's approval of an administrative land division of nonviable parcels in an agricultural zone for Parcel No. R28683010 as deliberated with instructions for staff to change Findings no. 3 and no. 4 as instructed. The motion was seconded by Commissioner Brooks and carried unanimously. Commissioner Brooks asked Deputy PA Wesley if the Board is required to tell the non-present applicant what they can do to receive approval? Deputy PA Wesley said that provision is applicable to zoning changes, he doesn't think it's applicable to administrative land divisions but he will double check that for the Board's findings and it can be addressed when the Board does the formal findings if there is an issue. Commissioner Van Beek made a motion to adjourn. The hearing concluded at 2:42 p.m. An audio recording is on file in the Commissioners' Office.

There were no meetings held today.

APPROVED CLAIMS

- The Board has approved claims 604679 to 604711 in the amount of \$65,972.58
- The Board has approved claims 604712 to 604759 in the amount of \$75,991.81
- The Board has approved claims 604842 to 604875 in the amount of \$48,636.29
- The Board has approved claims 604876 to 604911 in the amount of \$47,791.12
- The Board has approved claims 604912 to 604935 in the amount of \$24,375.00
- The Board has approved claims 604936 to 604988 in the amount of \$715,639.28

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Liberty Lounge to be used on 4/25/24 through 4/27/24
- Legends Sports Pub & Grill to be used on 5/4/24

ALCOHOLIC BEVERAGE LICENSES

The Board approved the following alcoholic beverage licenses for renewal:

- Esperanza Market LLC dba La Esperanza Market
- Dos Caminos Mexican Restaurant LLC dba Dos Caminos Mexican Restaurant
- Fred Meyer Stores Inc. dba Fred Meyer #226
- Holy Cow Idaho, LLC dba Holy Cow!
- City of Caldwell dba Fairview Golf Course
- City of Caldwell dba Purple Sage Golf Course
- Galimofre, LLC dba Italianesque
- Destination Caldwell, Inc., dba Destination Caldwell
- Darice Feigel dba The Undiscovered Barrel
- Montucky Brewing, LLC dba White Dog Brewing Co.

Resolution nos. 24-068 and 24-069

APRIL 2024 TERM

CALDWELL, IDAHO APRIL 22, 2024

No meetings were held today.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Dell in the amount of \$26,184.96 for the Information Technology Department (PO #6000)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Trevor Heim, Deputy Sheriff -Transferring to CID
- Zachary Koreis, Corporal in Pre-Trial transferring to Training
- Sharee Wright, Deputy Sheriff in Inmate Control promoting to Corporal
- Hunter Zimmerman, Deputy Sheriff adding K-9 pay

ALCOHOLIC BEVERAGE LICENSES

The Board approved the following alcoholic beverage licenses for renewal:

- Pantera Market 4 Inc., dba Pantera Market #4
- ADI Capital, LLC dba Nampa-ADI
- City of Nampa dba Ridgecrest Golf Club
- G&G Investments Idaho, LLLP dba Bud's
- Kerry Hill Winery, LLC dba Kerry Hill Winery
- Nampa Lodge #1389 BPOE, Inc., dba Nampa Elks Lodge #1389

(Resolution no. 24-074)

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:30 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Code Enforcement Supervisor Eric Arthur, Principal Planner Dan Lister (left at 10:39 a.m.), Associate Planner Arbay Mberwa, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Code Enforcement Officer Gary Westerfield, Sr. Administrative Specialist Pam Dilbeck (left at 10:39 a.m.), Representative for E&D Subdivision (left at 10:36 a.m.), Building Official Tom Crosby, Building Permit Cassie Lamb, Office Manager Jennifer Almeida (arrived at 10:36 a.m. and left at 10:39 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing final plat for E & D Subdivision, Case No. SD2023-0020: Mr. Lister gave a history of this case stating that all signatures have been obtained and all conditions have been met. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the final plat for E&D Subdivision, case no. SD2023-0020.

The Board recessed from 10:32 a.m. to 10:36 a.m.

Consider release of certificate of noncompliance for 23941 Freezeout Rd. Caldwell (Parcel no. R22072): Mr. Arthur provided a history on this case. A certificate of non-compliance was signed about 18 months ago, and while there are still some issues that exist the certificate of non-compliance is holding up the sale of the property. Mr. Arthur said he has no reason to believe if the certificate of non-compliance is removed that the remaining violations won't be brought into compliance as sale of the property is contingent upon it being brought into compliance. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to release the certificate of non-compliance for property located at 23941 Freezeout Rd. (Parcel no. R22072).

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

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 10:39 a.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records exempt from public disclosure. 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, Code Enforcement Supervisor Eric Arthur, Associate Planner Arbay Mberwa, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Code Enforcement Officer Gary Westerfield, Building Official Tom Crosby and Building Permit Cassie Lamb. The Executive Session concluded at 11:09 a.m. with no decision being called for in open session.

The executive session was continued to 1:00 p.m. today. The Board took up the last action item as follows:

Consider code enforcement abatement for property located at 18774 11th Ave N., Nampa (Parcel no. R34437010): An estimate of not-to-exceed \$8800 was provided to the Board and upon the motion by Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to approve the abatement for property located at 18774 11th Ave N., Nampa (parcel no. R34437010).

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 11:15 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution granting a new license to TL Original Inc. dba Pho 7 & Ding Tea and a new license to Boise Babes LLC dba The 112: Commissioner Van Beek noted that both applications meet the standard requirements and made a motion to approve the new licenses for TL Original Inc. dba Pho 7 & Ding Tea (resolution no. 24-070) and Boise Babes LLC dba The 112 (resolution no. 24-071). The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 11:16 a.m. and an audio recording is on file in the Commissioners' Office.

CONTINUED EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 1:05 p.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records exempt from public disclosure. 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 Leslie Van Beek and Brad Holton, Commissioner Zach Brooks arrived at 1:37 p.m., DSD Director Sabrina Minshall, Building Permit Supervisor Cassie Lamb, Code Enforcement Supervisor Eric Arthur and Building Official Tom Crosby. A brief recess was taken from 1:31 p.m. to 1:32 p.m. The Executive Session concluded at 1:50 p.m. with no decision being called for in open session.

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

The Board went on the record today at 1:31 p.m. to continue the public hearing request by Shawn and Rae Lynn Kelley for a conditional rezone. Present were: Commissioners Leslie Van Beek and Brad Holton, DSD Director Sabrina Minshall, Building Permit Supervisor Cassie Lamb, Code Enforcement Supervisor Eric Arthur, Building Official Tom Crosby and Deputy Clerk Jenen Ross. Commissioner Holton made a motion to continue the hearing to Monday, May 6, 2024 at 1:30 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 1:32 p.m. and an audio recording is on file in the Commissioners' Office.

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 24, 2024

APPROVED CLAIMS

- The Board has approved claims 604989 to 605012 in the amount of \$126,303.71
- The Board has approved claims 605013 to 605051 in the amount of \$14,802.50

- The Board has approved claims 604762 to 604801 in the amount of \$110,704.36
- The Board has approved claims 605052 to 605096 in the amount of \$79,749.04
- The Board has approved claims 605097 to 605145 in the amount of \$21,035.82
- The Board has approved claims 605146 to 605151 in the amount of \$12,253.85
- The Board has approved claim 605152 in the amount of \$416.00
- The Board has approved claims 605153 to 605154 in the amount of \$704.00
- The Board has approved claims 604802 to 604841 in the amount of \$54,105.96

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Diana Hoffman, Office Coordinator for the County Agent - job title change

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Mesa Downtown LLC dba Mesa Tacos & Tequila
- Scoria Vineyards & Winery LLC dba Scoria Vineyards & Winery
- GMRI, Inc. dba The Olive Garden Italian Restaurant #1731
- Firehouse Sports Pub & Pizza LLC dba Firehouse Sports Pub
- Nampa Hospitality LLC dba Best Western Plus

(Resolution no. 24-072)

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit to be used as follows:

- O'Michael's Pub & Grill to be used on 5/24/24

PUBLIC MEETING (NOT A PUBLIC HEARING) TO CONSIDER AN ORDINANCE OF CANYON COUNTY, IDAHO, AMENDING CHAPTER 1, ARTICLE 17: LAND USE/LAND DIVISION HEARING PROCEDURES; OF CANYON COUNTY CODE OF ORDINANCES; AND SEVERABILITY CLAUSES; AND AN EFFECTIVE DATE

The Board met today at 9:31 a.m. for a public meeting (not a public hearing) to consider an ordinance of Canyon County, Idaho, amending chapter 1, article 17: land use/land division hearing procedures; of Canyon County code of ordinances; and severability clauses; and an effective date. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Claudia Haynes, Ron Amaral, George Crookham, Gerri Smith, other interested citizens, Erin Banks-Rusby with the Idaho Press and Deputy Clerk Jenen Ross.

Director Minshall provided a background of getting to today's meeting and reviewed the blackline/legislative version of the ordinance.

In January of 2023 DSD held two public workshops to discuss both staff and BOCC concerns related to process and timelines as well as goals for changes of what could be achieved and then proposed process improvements and schedules. The discussion at that time was that they wanted to make sure they were going thru those processes and timelines which in most cases are just process, they are not in ordinances. DSD then worked with legal as to which parts should be in an ordinance to provide clarity and what would be a process.

The “why” or reason for this revision was to have predictability, consistency and fairness for all persons involved in the process; to have more transparency for everyone. Prior to these changes the BOCC, nor DSD, were posting copies of applications or any materials received and there was just a 14-day notice. There was no advance notice or posting prior to this BOCC making those changes. Another point of interest was the quality and process of the applications by the time it made it to the hearing stage but also prior to the hearing so that the public had quality material to review to aid in their testimony. The goal was to have more informed public comments, reduce lengthy hearings, reduce the amount of new information introduced late in the process, and for P&Z to be a vetting body and not a “practice session”. It often seemed that by the time a case was being heard by the BOCC, materials have substantially changed from what was presented at P&Z. In January of last year, direction from the Board was for DSD to begin doing completeness reviews, which they’ve implemented, applications are being posted as well as packets that the hearing body receives. They have also increased their notice of when hearings are posted and mailed in order to help accommodate for the deadlines.

Director Minshall gave a timeline for the review and acceptance of this ordinance –

- First meeting was held on December 14, 2023 – the meeting was then continued to December 20, 2023.
- December 20, 2023 – Continuance of the public meeting which was a workshop session between DSD, legal and the BOCC regarding the first draft.
- March 20, 2024 – Second version of the revised ordinance. At that time a written public comment period was open from March 20th – April 10th.
- DSD staff and legal reviewed the comments received and have worked on a 3rd version of the ordinance incorporating the comments. The 3rd version of the ordinance and comments were then forwarded to the Board.
- A meeting was scheduled for April 17th but due to scheduling conflicts the meeting was continued to today’s date. Most changes are just wording changes or capitalization with the exception of two clarifications which Director Minshall will review.

During the public comment period, 27 comments were received; of those 27, 8 were unique comments - of the 8, 1 was signed by 15 people and 1 was signed by 6 people. The primary concerns were around the perception of fairness in the process between the applicant and appellant vs. those in opposition. Most, if not all the comments, really do not want a written materials deadline prior to the hearing. Their desire is to submit that information at the hearing to rebut any information given by the appellant or the applicant anywhere thru the process. Much

of this is just redefining and change management determining the roles and what information goes into the Board's decision or recommendation made by P&Z.

Comments and questions regarding the ordinance received at the Cookies with Commissioners event on March 20th have been addressed by Director Minshall and COO Rast and can be found on the Open Government/2C Communication portion of the website. Prior to that meeting, Director Minshall along with staff had reviewed many other ordinances of other jurisdictions as well as had conversations with colleagues about what they're seeing. All other jurisdictions that were surveyed are only providing the legally required 14-day notice and posted signs. DSD and the Board by practice have been giving an excess of 41-days' notice to hearing. When you consider the time between mailings, postings and written deadline at 20 days, the time that all that is being posted to the 20-day comment was in excess of the 14 days legally required. However, the legally required and the other jurisdictions, just have the 14 days to whenever their deadline to public hearing is. Canyon County is providing an additional 14-21 days of what was being done in practice. The proposed ordinance being considered today, is actually reducing the 20-day notice to 10 days but even with that the county is still 20-30 days more. The ordinance states that the county abides by the minimum legal notice requirements but it provides there would be policies that give as much additional notice as possible. Director Minshall provided a review of the guidelines set forth by the other jurisdictions she surveyed including the City of Pocatello, Ada County, City of Eagle, City of Nampa, City of Meridian, City of Caldwell and Boise City. Although the timeline changes from jurisdiction to jurisdiction, almost all (except the City of Nampa) has a written or exhibit materials deadline and it is still up to the hearing body as to whether they want to enter it, many do not even reference the admission of a late exhibit or they continue the hearing if there becomes additional information.

Director Minshall addressed Commissioner Holton's question regarding section 7B which refers to '10 days', she explained it was her suggestion to not use '10 working days' as it can be confusing to the public to determine which holidays may or may not count as working days; she also spoke about how the logistics of the 10 days can be accommodated on the back-end by her department.

Major/substantive changes between the draft prior to public comment and the version being reviewed/considered today.

- The term 'materials' was more clearly defined and ensured that the language throughout refers to the materials deadline. The language is as follows: *This term broadly refers to any written comments, documents, exhibits, visual presentations, or similar items that are to be transmitted to the presiding party as evidence for review, regardless of format*
- Term 'final hearing': Since it was only used one time in the ordinance, that section was rewritten so that it was more clearly defined as to what was meant and term was eliminated.
- Director's decision: This term is now only referred to in the appeals section.
- Completeness review: There was a request for this to be more clearly defined but Director Minshall and legal did not feel there was a need.

- 01-17-05, Minimum Requirements for Hearing Cases:
 - Section A: Complete Applications: This provided some additional clarification around what is meant by closure for inactivity and provision of requested items from staff that is needed for analysis against the legal criteria along with rules and responsibilities of parties including applicants, staff and public. Additionally, a statement was included to say that if a case is closed for inactivity, fees will not be refunded. Director Minshall, brought to the Board's attention additional language that has been added in regard to information deemed necessary by the Director, staff's responsibility to make a fair analysis and how burden of proof is the responsibility of the applicant or appellant; staff's job is to simply present the facts of the case, not to be a proponent of either side. The language is as follows: *Staff shall perform a completeness review prior to the official acceptance of an application by the County to determine if the application meets the minimum application requirements of the County. In the event that it is determined that an application is incomplete, the applicant will be notified regarding what is necessary to complete the application and the application returned. In the event that an incomplete application is returned more than two (2) times, additional application fees may be required according to the County's fee schedule. All plans, ordinances or processes in place at the time of the application passes its completeness review and application fees are paid, will apply.*
- 01-17-07, Deadlines:
 - Section A: Minimum Notice: This clarifies the counting of days, specifically it removed some of the detailed steps done by DSD prior to the noticing of deadline because those are procedures. The language is as follows: *Notice of a hearing shall be provided as required by applicable law and ordinance. When practical, staff may provide advance notice in order to provide additional opportunity for review and comment on an application or appeal. Internal policies, procedures and timelines related to noticing shall be developed and implemented as the Director determines is needed. Providing discretionary advance or extended notice shall not alter the minimum notice requirements set by applicable law and ordinance.*
 - Section B: Materials Deadline: The deadline to submit materials has changed from 20 days prior to the hearing down to 10 days which will give the Board approximately 7 days to review the staff report and materials. The language is as follows: *All materials to be transmitted to Presiding Party to be relied on as part of the record must be received by the materials deadline, which shall be at a minimum of ten (10) days prior to the public hearing. Materials received by the deadline will be automatically made a part of the record. This deadline is to provide ample time for inclusion in the staff report packet, hearing body review, and full transparency and access for the public. The submission of late documents or other materials does not allow all parties time to address the material or allow sufficient time for public*

review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

- It is not the role of staff to review all the materials submitted and address it in a staff report. They provide analysis of what they have in the packet and what has been submitted and it is up to the Board to review and decide on merits. Staff reports will become much simpler, more direct to analysis and criteria and not any kind of sense that staff is trying to weigh-in on a recommendation based upon information that comes in at the last minute.
- 01-17-11: Record
 - Section B: Remand: Fees are to be paid by the applicant if a case is remanded back unless it was procedural. The language is as follows: *The Board may remand an application/appeal back to the initial hearing body for reconsideration of their decision if the Board determines that the official record is incomplete, or that the application has had substantial additions, amendments or modifications from the application presented to the Commission, Hearing Examiner, or Director or that procedural steps required were not followed. The taking of additional testimony and evidence on remand shall be limited to those issues stated by the Board as per its written directive. Additional notice shall be required.*

Additional remand fees shall be paid by the applicant/appellant according to the County's fee schedule. Remand fees may be waived for good cause.

If after hearing the new testimony or evidence as directed by the Board, the Commission, Hearing Examiner or Director's decision or recommendation is changed, new recommendations and/or findings of fact and conclusions of law shall be sent to the Board for further action. If the Commission, Hearing Examiner, or Director's decision or recommendation is not changed, supplemental explanation and/or expanded recommendations and/or findings of fact and conclusions of law shall be sent back to the Board for further action.

01-17-13: Decision by the Presiding Party: Clarifies the decision by the presiding party. The language is as follows: *When the record and public testimony has been closed, the Presiding Party shall take the matter under advisement for the purpose of deliberating toward a decision on the record. After deliberating, the Presiding Party may then immediately render a ~~written~~ decision or recommendation complying with applicable law, or may continue the matter to a date and time certain for further deliberation and decision. ~~Provided if the matter is continued, the Presiding Party shall render a written decision within thirty (30) days, unless a shorter period is provided by law, in which case the shorter period shall apply. The commission and the board shall deliberate and make decisions at meetings which comply with the open meetings law, Idaho Code section 74-201 et seq., as~~ The decision or recommendation may be amended from time to time. The conduct a subsequent and administrative action of the Presiding Party ~~hearing examiner and hearing officer are not governed by the open meetings law.~~*

Director Minshall said that in the version of this ordinance being considered today, there were only a couple of substantive changes as compared to other versions:

- In Section 3 there was capitalization, an internal citation, and language about notice of the hearing shall be required by applicable law and ordinance, going back to state law was added in the most recent version.
- The other change is that remand fees could be waived.

Mr. Wesley explained that there is a legal notice summary if the Board is ready to adopt the most recent version of the ordinance. The ordinance would be effective upon publication of the summary in the Idaho Press newspaper.

The Board offered their comments on the process of updating this ordinance.

Commissioner Holton motioned to accept this draft and approve it as an ordinance today. The motion was seconded by Commissioner Van Beek and carried unanimously (ordinance no. 24-004).

Commissioner Holton made a motion to approve the summary of the ordinance of Canyon County, Idaho, chapter 1 county administration, article 17: land use/land division hearing procedures. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Van Beek moved to adjourn the meeting. The motion was seconded by Commissioner Brooks.

The meeting concluded at 11:01 a.m. and an audio recording is on file in the Commissioners' Office.

COUNTY CLERK'S BUDGET QUESTION AND ANSWER SESSION

The Board attended the Canyon County Clerk's budget question and answer session this afternoon from 2:00 p.m. to 3:00 p.m. The session was held in the public meeting of the Canyon County Administration Building. It was not a Commissioner meeting; there were no motions, action items or Board direction entertained or given.

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 25, 2024

COMMUTER VEHICLE AUTHORIZATION FORM

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

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Stewarts Hospitality & Services, LLC dba Stewart's Bar & Grill
- Canyon Golf Partners, LLC dba Red Hawk Golf Course
- Smashburger Acquisition - Idaho, LLC dba Smashburger #1588
- TL Original, Inc., dba Pho 7 & Ding Tea
- Boise Babes, LLC dba The 112
- TNT's Dynamite Bar & Grill, LLC dba TNT's Dynamite Bar & Grill
- Roots and Company, LLC dba Roots and Company
- Williamson Orchards, Inc., dba Williamson Vineyards

Resolution no. 24-073

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

The Board met today at 9:32 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Deputy P.A. Oscar Klaas (left at 9:34 a.m.), Deputy P.A. Zach Wesley, Assistant Facilities Director Carl Dille (left at 9:34 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Independent Contractor Agreement for Elevator Modernization with Young Elevator, Inc.:

This is the final step in the bidding process; one responsive bid was received from Young Elevator, Inc. Legal has reviewed and has no issues with the contract. Commissioner Holton made a motion to accept the submitted example of a contract and sign that. The motion was seconded by Commissioner Brooks and carried unanimously (agreement no. 24-037).

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

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

Commissioner Brooks made a motion to go into Executive Session at 9:35 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 Holton. Commissioner Holton took a roll call vote where he along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion

carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson and Deputy P.A. Zach Wesley. The Executive Session concluded at 9:56 a.m. with no decision being called for in open session.

The meeting concluded at 9:56 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO RECEIVE CLERK'S QUARTERLY BUDGET REPORT

The Board met today at 10:30 a.m. for a meeting to receive the Clerk's quarterly budget report. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Senior Systems Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. Clerk Hogaboam submitted the following three documents, which are on file with this day's minute entry:

- Clerk's Quarterly Budget Report: 2nd Quarter (January – March)
- Full detailed report (42 pages) showing revenues, salary & benefits ("A" budget), and expenses
- Summary report (5 pages) showing revenues, salary & benefits ("A" budget), and expenses

The quarterly statement is to give a checkpoint on what has been expended and collected on revenues. In summary, his report stated as for expenditures under the "A" budget of salary and benefits, the County is overall below, as is expected with vacancies. As for the "B" budget of operational expenses, any trending below or above is likely due to seasonality and timing of procurement and operational peak seasons. Since this is his first quarterly report and first fiscal year, he will defer to respective elected officials and department administrators to provide the Board any needed additional explanation for expenditures that are cause for concern. The Tort fund may experience fluctuations based on expenditure needs. Budget amendments may be needed as we close the year, but he hopes the next third quarter report can help inform in anticipation of potential budget amendments, resolutions, or potential final quarter directives to ensure the County meets its obligations as prioritized by the Board. There were questions asked and answers provided during the Clerk's report and the Board's review of the information. No Board action was required or taken. The meeting concluded at 11:06 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER FINAL PLAT FOR EAGLE CAP SUBDIVISION, CASE NO. SD2022-0042

The Board met today at 11:08 a.m. to consider the final plat for Eagle Cap Subdivision, Case No. SD2022-0042. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Engineering Coordinator Stephanie Hailey, Gary Johnston, and Deputy Clerk Monica Reeves. Ms. Hailey reported the development was rezoned to an "R-1" (Single Family Residential) zone in 2020 with 11 residential lots, well irrigation, and individual wells and septic systems. The preliminary

plat for Eagle Cap Subdivision was approved by the Board on February 8, 2022 and was subject to seven conditions of approval. County engineering has reviewed and approved the final plat and construction drawings and participated in a post-construction site visit. The County surveyor has reviewed and signed the final plat finding it is in compliance with the Canyon County Zoning Ordinance. Staff recommends the Board sign the final plat. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve and authorize the Chairman to sign the final plat for Eagle Cap Subdivision, Case No. SD2022-0042, as presented and previously authorized. The meeting concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE ADMINISTRATIVE DISTRICT JUDGE AND THE TRIAL COURT ADMINISTRATOR

The Board met today at 1:33 p.m. with the Administrative District Judge and the Trial Court Administrator. Present were: Commissioners Leslie Van Beek and Zach Brooks, Judge Davis Vander Velde, Deputy TCA Laura Kiehl and Deputy Clerk Jenen Ross.

Judge VanderVelde expressed appreciation of budget workshop that was held by the Clerk yesterday.

This week Judge VanderVelde attended a conference where they met with the new state public defender. They are hoping to have all the district public defenders hired by July 1st so the change in process can be implemented by early October. The magistrate commission will likely be convened in late May or early June and they are hoping to work with Chairman Holton in the next week or so in order to determine that exact date. Judges are excluded from that meeting; however, the TCA will likely act as the secretary but that will be at Chairman Holton's discretion. Judge VanderVelde anticipates that interviews will likely take the better part of a day to conduct. Commissioner Van Beek confirmed that the Board will relay the information to Commissioner Holton and ask him to contact the ADJ/TCA office.

In regard to jury duty, for a while they stopped doing jury questionnaires but an order has recently been issued by Judge VanderVelde to resume doing them which provides attorneys with additional information when reviewing jury candidates. Additionally, they are working to shorten jury duty from a full month down to 2 weeks.

The meeting concluded at 1:42 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER RELEASE OF LIEN FOR PROPERTY LOCATED AT 15580 CANTRICE LANE, CALDWELL, ID

The Board met today at 2:00 p.m. to consider a release of lien for property located at 15580 Cantrice Lane, Caldwell, ID. Present were: Commissioners Leslie Van Beek and Zach Brooks, DSD

Office Manager Jennifer Almeida and Deputy Clerk Jenen Ross. Ms. Almeida explained this was for abatement of the property which was completed in December of 2023 at which time the notice of lien was recorded and the property owner was invoiced. Payment from Mid First Bank was recently received and deposited. This lien is now paid in full and the lien needs to be released. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to release the lien for property located at 15580 Cantrice Lane, Caldwell, ID for the amount paid of \$9800 (parcel no. R23266026).

The meeting concluded at 2:02 p.m. and an audio recording is on file in the Commissioners' Office.

APRIL 2024 TERM

CALDWELL, IDAHO APRIL 26, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Chandler Ross Young, Deputy Sheriff, new lateral hire
- Ivan Flores, Change from Juvenile Detention Officer to Security Control Specialist

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Perennial Energy in the amount of \$6710.00 for the Solid Waste department (PO #5991)

APPROVED CATERING PERMIT

- The Board approved an Idaho Liquor Catering Permit for Liberty Lounge to be used 5/25/24.

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Whiskey River LLC dba Whiskey River
- Alejandras 1 LLC dba Alejandra's Mexican Restaurant
- Bitner Vineyards LLC dba Bitner Vineyards
- Pantera Market & Mexican Restaurant #2 LLC dba Pantera Market #2

Resolution no. 24-075

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. Russell Donnelly. 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.

EXECUTIVE SESSION TO DISCUSS RECORDS EXEMPT FROM PUBLIC DISCLOSURE PURSUANT TO IDAHO CODE, SECTION 74-206(1)(D)

Commissioner Van Beek made a motion to go into Executive Session at 11:03 a.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records exempt from public disclosure. 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, Clerk Rick Hogaboam, Chief Deputy P.A. Carl Ericson, Cpt. Harold Patchett, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Sheriff Kieran Donahue and Chief Deputy Sheriff Doug Hart. The Executive Session concluded at 12:01 p.m. with no decision being called for in open session.

APRIL 2024 TERM
CALDWELL, IDAHO APRIL 29, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Lucy Lanning, Elections Specialist (transfer)
- Aaron Williams, Director of Constituent Services (new hire)
- Elizabeth (Annie) Hobby, Deputy Public Defender
- Emily G. Garcia, PD Legal Support Specialist II

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Labyrinth Escape Games, LLC dba Labyrinth Escape Games
- Grey Stone Corp dba V-Cut Lounge
- Taqueria El Gallito, LLC dba Taqueria El Gallito

Resolution no. 24-076

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Tacos El Rey, LLC dba Tacos El Rey Restaurant #5
- Jackson Bevco, Inc., dba Big Smoke #115
- Jackson Bevco, Inc., dba Tobacco Connection #1
- Jackson Bevco, Inc., dba Tobacco Connection #6
- Jackson Bevco, Inc., dba Tobacco Connection #12
- Jackson Bevco, Inc., dba Tobacco Connection #16
- Jackson Bevco, Inc., dba Tobacco Connection #22
- Jackson Bevco, Inc., dba Tobacco Connection #23
- Jackson Bevco, Inc., dba Tobacco Connection #32
- Jackson Bevco, Inc., dba Tobacco Connection #37
- Jackson Bevco, Inc., dba Big Smoke #102
- Jackson Bevco, Inc., dba Big Smoke #109
- Jackson Bevco, Inc., dba Big Smoke #113

Resolution no. 24-077

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D): DISCUSS AND REVIEW APPLICANTS FOR THE CANYON COUNTY IMPACT FEE COMMITTEE

Commissioner Van Beek made a motion to go into Executive Session at 1:44 p.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding personnel matters to discuss and review applicants for the Canyon County impact fee committee and records exempt from public disclosure. 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, DSD Director Sabrina Minshall and COO Greg Rast. The Executive Session concluded at 2:22 p.m. with no decision being called for in open session.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(E) TO CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE

Commissioner Van Beek made a motion to go into Executive Session at 3:32 p.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce. 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, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Robin Sellars with the City of Nampa and Representatives from Project Spud. The Executive Session concluded at 4:28 p.m. with no decision being called for in open session.

APRIL 2024 TERM

CALDWELL, IDAHO APRIL 30, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

- Electionsource.com in the amount of \$5,973.18 for the Elections office (PO #6013)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Ashley Nicole Romeri, Deputy Sheriff (new hire)
- Brett Cretal, Emergency Communications Officer II

MEETING TO CONSIDER MATTERS RELATED TO MEDICAL INDIGENCY

The Board met today at 3:00 p.m. to consider matters related to medical indigency. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George, and Deputy Clerk Monica Reeves. Ms. George presented the Board with information regarding Case No. 2009-770 and 2016-490. Both cases have been paying on their county application for nearly two decades and have met their obligation amount to the County and have paid off their accounts so staff is requesting the Board issue release of liens. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to release the liens on the medical obligations for Case Nos. 2009-770 and 2016-490. The meeting concluded at 10:32 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER SIGNING INDEPENDENT CONTRACTOR AGREEMENT WITH ABIGAIL MOREHOUSE FOR PUBLIC DEFENDER CONFLICT COUNSEL

The Board met today at 10:45 a.m. to consider signing an independent contractor agreement with Abigail Morehouse for public defender conflict counsel. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy Public Defender Scott James, and Deputy Clerk Monica Reeves. Chief Deputy James said Public Defender Bazzoli has met with Ms. Morehouse who has experience in both felony cases and misdemeanor cases. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the independent contractor agreement for public defender conflict counsel between Canyon County and Abigail Morehouse as presented by Chief Deputy Public Defender Scott James. (See Agreement No. 24-038.) Commissioner Holton asked how often the departments needs conflict counsel. Chief Deputy James said they need to do it routinely in child protective cases oftentimes because the parents want their own counsel. The guardian ad litem, for some reason, always want a conflict public defender. The department's main view on criminal cases is they try

to handle conflicts within the office. They have an opinion from bar counsel who said public defenders are under a different rule than normal private firms and so they have a little more latitude. He said Mr. Bazzoli is very good about balancing the need to save taxpayers' money versus having to pay for an appeal post-conviction and then a new trial down the road. Commissioner Holton said the Prosecuting Attorney and the public have questioned conflict counsel and he is aware that the PD conflict counsel issues are a little different than the Board's but he wanted it put on the record. The meeting adjourned at 10:50 a.m. An audio recording is on file in the Commissioners' Office.

RESCHEDULE PUBLIC HEARING: MARGARET PERSON, REPRESENTED BY STEVE LAW, IS REQUESTING A COMPREHENSIVE PLAN MAP AMENDMENT, AND CONDITIONAL REZONE FROM AN "A" (AGRICULTURAL) ZONE TO AN "R-1" (SINGLE-FAMILY RESIDENTIAL) ZONE

This hearing was scheduled to be heard by the Board on April 30, 2024 at 1:30 p.m., however, it was rescheduled to May 14, 2024 at 3:00 p.m. so the Board could attend the memorial service for Deputy Tobin Bolter, an Ada County Sheriff's Office Deputy who was killed in the line of duty.

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

THE MINUTES OF THE FISCAL TERM OF APRIL 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 14th day of June, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS

Unavailable for signature
Commissioner Leslie Van Beek

Brad Holton
Commissioner Brad Holton

ZBm
Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: J Ross, Deputy Clerk

APPROVED MAY 3, 2024 PAYROLL

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

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

APPROVE ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

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

(Resolution No. 24-079)

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

The Board met today at 9:30 a.m. with the Assessor's Office to consider various new and renewing property tax exemptions under codes: 63-602P, 602W, 602D, 602P, 602B, 602C, 602E, 602GG, and 50-2014. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assessor's Office Business Manager Jennifer Loutzenhiser, Administrative Analyst Helena Thompson, Appraiser Supervisor Holly Hopkins and Deputy Clerk Jenen Ross.

63-602P – pollution control

This exemption is designed for equipment that cut down on pollution. This year there is just over \$95M in equipment used for this purpose to be exempted. A copy of the spreadsheet detailing the equipment is on file with this day's minutes. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the exemptions.

63-602B – Religious

Parcel no. 18987000 0 First Presbyterian Church

The Assessor's Office is recommending approval and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemption

63-602B – Religious and 63-602C - Charitable

Parcel nos. 01443000 0, 01442000 0, 01647000 0, 01447010 0 Aspen and Christopher Morrow

The Morrow's applied under both codes but we're postmarked April 16th which misses the April 15th deadline. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to deny all of the applications.

63-602GG – Low Income Housing

Parcel no. 11762000 0 Nampa Christian Housing

The Assessor's Office is recommending denial as they don't meet the criteria set forth in the guidelines. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to deny the exemption.

63-602B - Religious

Parcel no. 78392000 0 - First United Methodist Church

This application was dropped off on April 18th which is past the April 15th deadline. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to deny the exemption.

63-302C – Charitable

Parcels nos. 12709000 0 and 34327538 0 - Gateway Crossing Apartments and Neighborhood Housing Services Inc. dba Neighborworks

The Assessor's Office is recommending denial as they don't meet the criteria set forth in the guidelines. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to deny the exemptions.

63-602C and 63-602GG – Charitable and Low-Income Housing

Parcel nos. 08577010 0, 12985525 0, 14301000 0, 15438000 0 - Leap Charities Inc.

The Assessor's Office is recommending denial as they don't meet the criteria set forth in the guidelines. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to deny the exemptions.

63-602W – Site Improvements Associated with Land

This exemption code applies to owner/developers until a home is built and sold. The following applications were received:

- Passero Ridge LLC owned by BHEG for Passero Ridge No. 1 (approx. 45 parcels) Passero Ridge No. 2 (approx. 29 parcels) and Passero Ridge No. 3 (approx. 24 parcels)

The Assessor's Office recommends approval and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemptions.

- Toll SW LLC for Pradera Subdivision (approx. 54 parcels)

The Assessor's Office recommends approval and upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant the exemption.

The meeting concluded at 9:56 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:30 a.m. to consider signing an ordinance, ordinance summary, and a resolution regarding the Nampa Area of City Impact Map Expansion, Case No. OR2023-0002, approved by the BOCC on December 19, 2023. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Dan Lister, DSD Planning Supervisor Carl Anderson, COO Greg Rast, Deputy PA Zach Wesley, DSD Assistant Director Jay Gibbons, and Deputy Clerk Monica Reeves. Dan Lister provided a background and history of the impact area expansion. On December 19, 2023, the Board signed the FCO's approving the map expansion. The documents being considered today are the last step in the process. Commissioner Van Beek made comments regarding the impact area process, and Commissioner Holton spoke of the City of Nampa's and Canyon County's efforts to have planned and coordinated growth. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the ordinance, ordinance summary, and the resolution regarding the Nampa Area of City Impact Map Expansion, Case No. OR2023-0002, approved by the Board on December 19, 2023. (See Resolution No. 24-078, and Ordinance No. 24-005.) The meeting concluded at 10:43 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: REQUEST BY DARREN GOLDBERG/LGD VENTURES, LLC, FOR A CONDITIONAL REZONE FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-R-R" (CONDITIONAL REZONE - RURAL RESIDENTIAL) ZONE; PRELIMINARY PLAT FOR LEWIS HEIGHTS SUBDIVISION

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

staff updated the FCO's based on the discussion from the last hearing, and they want to make sure the proposed development agreement conditions and the FCO's fit with the Board's discussion.

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

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

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

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

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

The Board agrees with the FCO's for the Lewis Heights Subdivision, including the standards of review and conditions of approval no. 1-9. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the preliminary plat with the irrigation and drainage plan for Lewis Heights Subdivision, Case No. SD2021-0018. The Board will finalize the approval documents in the coming weeks. The hearing is closed until the

Board meets again to review the FCO's. The hearing concluded at 2:32 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM

CALDWELL, IDAHO MAY 2, 2024

APPROVED CLAIMS

- The Board has approved claims 605293 to 605323 in the amount of \$22,901.27
- The Board has approved claims 605247 to 605292 in the amount of \$16,720.44
- The Board has approved claims 605155 to 605202 in the amount of \$226,114.43
- The Board has approved claims 605203 to 605246 in the amount of \$99,128.22
- The Board has approved claims 605324 to 605351 in the amount of \$53,933.65

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

APPROVED ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

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

Resolution nos. 24-081 and 24-082

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

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

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

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

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

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:43 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson, Deputy P.A. Zach Wesley and Deputy P.A. Laura Keys. The Executive Session concluded at 10:30 a.m. with no decision being called for in open session.

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

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

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

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

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

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

The Board met today at 11:00 a.m. for a presentation by Hummell and Okland regarding the CCSO administration building. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Sheriff Kieran Donahue (arrived at 11:02 a.m.), Chief Deputy Sheriff Doug Hart, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Clerk Rick Hogaboam, Assessor Brian Stender, Lt. Martin Flores, Lt. Doug Gateley, CCSO PIO Joe Decker, Facilities Director Rick Britton, Sr. Systems Analyst Steve Onofrei, COO Greg Rast, Scott w/Okland, Jeff Parks w/Hummel, Brian Coleman w/Hummel and Bill Valdez w/KMB Representative from Hummel and Okland and Deputy Clerk Jenen Ross.

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

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

- A history of the project was reviewed
 - Initial conversations with the Sheriff's Office took place in October.
 - At the end of January, the first pricing was submitted. However, the initial design and cost came in over budget and revisions would be needed.

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

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

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

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

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

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Jerry Uptmor for approval of a short plat for Kimber Ridge Subdivision #3, a two-lot subdivision, Case No. SD2022-0057. Present were: Commissioners Brad Holton and Zach Brooks, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Dan Lister, Jerry Uptmor, Bobby Harris, Diana Hoffman, Cheryl Keithley, and Deputy Clerk Monica Reeves. DSD Principal Planner Dan Lister gave the oral staff report. This is a replat of Lot 14 within Kimber Ridge Subdivision #2 which is a 4.05-acre lot. The result would create two lots. In 2018 48.6 acres was rezoned to a rural residential zone. In 2020, the preliminary plat for Kimber Ridge Subdivision was approved for 14 lots with two phases. In March of 2021 Kimber Ridge Subdivision #1 was approved with 5 lots, and in 2022 Kimber Ridge Subdivision #2 was approved with 9 lots. On February 1, 2024, the Planning and Zoning Commission recommended approval of the subdivision subject to the following conditions of approval:

1. All subdivision improvements (public roads, shared access, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.

2. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected. The development shall comply with Black Canyon Irrigation District requirements (Attachment B & D). Evidence of approval shall be a letter from Black Canyon Irrigation District. Evidence shall be submitted prior to the Board signing the final plat.

3. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property (Attachment B).

4. The development shall comply with Southwest District Health (SWDH) requirements. Evidence shall be SWDH's signature on the final plat.

5. The development shall comply with the requirements of the Notus-Parma Highway District (Attachment C). Evidence shall be Notus-Parma Highway District's signature on the final plat.

6. The shared 60' wide access easement shall have a recorded road user's maintenance agreement in accordance with CCZO Section 07-10-03(1)B3. The agreement with the instrument number shall be added as a plat note on the final plat.

Staff recommends approval of the preliminary plat.

The following people testified in support of the request:

Jerry Uptmor testified he has carefully followed the guidelines set forth by Canyon County for this lot split. There were complaints about extra traffic with one house as well as concerns that others in the subdivision would split their lot, but he said they cannot do that because their lots are smaller than four acres. The rural residential zone allows for two residences so everybody in the subdivision could have two houses on their lot if they choose to do so. He said there were concerns about schools being overcapacity, but the nearby school is under capacity because Canyon County is planning ahead for the growth that is happening. It is a headache to deal with the construction work that's going on but eventually that will be taken care of. It's a dead-end road so there is no through traffic. SWDH and Keller & Associates have approved the final plat. The Notus Parma Highway District has approved it, but their next meeting isn't until May 14 so he has to wait until then to obtain their signature. Following his testimony, Mr. Uptmor responded to questions from the Board.

The following people testified in opposition to the request:

Diana Hoffman testified that she believes Mr. Uptmor was not truthful during his testimony. In a previous meeting he stated that other lots anticipate being split and that's where he got the idea and now he is saying that's not an option. She is a lifelong Canyon County resident and is

concerned how the continued development of Kimber Ridge #3 impedes on her family's and her neighbors' right to life, liberty, and the pursuit of happiness. The CC&Rs for Kimber Ridge Subdivision do not allow for multiple dwellings on the properties, but Kimber Ridge #3 does not have CC&Rs so somebody can place a trailer house on their property which will negatively affect her property value. The back part of the property that Mr. Uptmor wants to split already has approval for nearly 200 homes with individual wells. (The Stadium Subdivision.) Middleton Schools are extremely overcrowded. There is a letter from JUB Engineers which states the proposed driveway spacing for Lot 1 and 2 does not meet the minimum standards. DEQ recommends verifying there is adequate water to serve this project prior to approval, but she has not seen that approval. The present and future needs of the area should be addressed to make sure there is adequate, safe, and sustainable drinking water. This is an agricultural area and it is concerning that land is continuing to be divided into smaller pieces.

Cheryl Keithley testified she is a lifelong Middleton resident who is concerned with the changes in the neighborhood and she said it's not just construction crews who speed in the area, it's homeowners and their guests as well. In 2015 when she and her husband were looking to be the third house in the subdivision they were told there would not be another subdivision or road opened up there because the Silver Sage plans had fallen through. When Dennis Jones moved to the area it was supposed to be for his house and a couple of homes for his children, but then he wanted to add a few more homes. Due to traffic concerns she has asked for stop signs, extra signage, and speed bumps but the requests have not been approved. The County is supposed to promote the values and ensure quality of life for present and future generations, but the homes in the subdivision have made huge impact on her family.

Jerry Uptmor offered rebuttal testimony and said the speed limit through the subdivision is 20 mph and he abides by it. The neighbors' biggest complaint is traffic and fear for their children, but the traffic is not from the residents, it's from the construction crews which will eventually go away. Four houses have been built so far and they are large upscale homes that generate minimal traffic. His lots will be two acres which is bigger than most lots in the neighboring subdivision. If there is a subdivision behind his property that will have 200 houses, his one extra house will not cause a problem. There is one other lot that Dennis Jones owns and it's over four acres so it can be split, but other than that no other lots can be split. The developer of Silver Sage Subdivision had plotted for phase 2 on the subdivision Mr. Uptmor lives in and it was divided into 22 lots but the owner ran into financial difficulty so he took the 48 acres and put it back to an agricultural designation and that is when Dennis Jones picked up the property. Instead of 22 lots, Mr. Jones made 14 lots. The amount of traffic going through the neighbors' subdivision will be minimal once his is complete.

Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to close public testimony. In response to questions from Commissioner Holton, Principal Planner Lister reported on the background of the case where the rezone of the 48.6 acre parcel was approved without conditions. Commissioner Holton acknowledged the concerns about the road and traffic impacts but said the case was decided by a previous land use decision. The Board reviewed the findings of fact, the conclusions of law, and the conditions of

approval. There was discussion regarding boiler plat language regarding the compliance with requirements of the Black Canyon Irrigation District. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to approve the preliminary plat for Kimber Ridge Subdivision #3 subject to the conditions of approval. The final plat will be brought back at a later date. The hearing concluded at 2:30 p.m. An audio recording is on file in the Commissioners' Office.

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

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

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

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

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

The Board met today at 4:18 p.m. for a meeting with the Facilities Director and Beniton Construction regarding the final guaranteed maximum price for the new Elections building. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Deputy PA Oscar Klaas, Facilities Director Rick Britton, Brandon Grote with Beniton Construction, Assessor Brian Stender, Treasurer Tracie Lloyd, Senior Systems Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. Deputy PA Klaas said this is an amendment to the agreement that was signed earlier and it closes it out for a guaranteed maximum price of \$3,624,580. Director Britton said there are some construction soft costs that are the County's responsibility that are added on to the \$3.6M amount. Brandon Grote with Beniton Construction reviewed the GMP summary report which is a breakdown of the project and notes a total project cost of \$3,768,580. There were follow-up questions from the Board on the contingency amount. The groundbreaking

ceremony will be held on May 8, 2024 at 9:30 a.m., with the earthwork to follow a few days after. Final project completion is expected to be mid-December. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the final guaranteed maximum price contract for the new Elections Building Project with Beniton Construction as presented. (Agreement No. 24-039.) The meeting concluded at 4:26 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM

CALDWELL, IDAHO MAY 3, 2024

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for:

- Michael Turner, Deputy Sheriff (Waterways)

MAY 2024 TERM

CALDWELL, IDAHO MAY 6, 2024

APPROVED ALCOHOLIC BEVERAGE LICENSES

The Board approved the following alcoholic beverage licenses for renewal:

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

Resolution no. 24-085

APPROVED ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

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

Resolution no. 24-086

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

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

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

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

The following people testified in support of the request:

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

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

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

MAY 2024 TERM

CALDWELL, IDAHO MAY 7, 2024

APPROVED CLAIMS

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

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

FILE IN MINUTES

The Board filed in minutes the following documents:

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

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

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

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

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

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

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

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

MAY 2024 TERM
CALDWELL, IDAHO MAY 8, 2024

There were no meetings held this day.

MAY 2024 TERM
CALDWELL, IDAHO MAY 9, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

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

(Resolution No. 24-087)

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

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

(Resolution No. 24-089)

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE AND CONSIDER ACTION ITEMS: OPENING BIDS FOR FIRE PREVENTION PROJECT; AND CONSIDER RESOLUTION DECLARING CERTAIN PROPERTY AS NOT NECESSARY FOR COUNTY USE AND FOR THE EXCHANGE OF COUNTY PROPERTY

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 Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Civil Deputy PA Carl Ericson, Deputy PA Alex Klempel, Deputy PA Oscar Klaas, Facilities Director Rick Britton, Emergency Manager Christine Wendelsdorf, Lt. Brian Crawforth, Captain Ray Talbot, DSD Director Sabrina Minshall, Alex Terrazas from Delta Fire Systems, and Deputy Clerk Monica Reeves. The items were considered as follows:

Opening Bids for Fire Prevention Project:

The only bid received was from Delta Fire Systems whose address is 2355 E. Commercial St., Suite 100, Meridian, ID 83642. The sealed bid was received on May 9, 2024 at 8:58 a.m. The total bid amount is \$838,305. Director Britton said this project is broken into three phases and depending on the FY2025 budget, it will be included in the facilities budget for the next phase. The amount takes into consideration inflation and supply costs. Commissioner Van Beek said this follows the plan Director Britton presented in the FY2024 budget process. Delta Fire Systems has an ongoing working relationship with installation of fire system on the County campus.

Consider Resolution Declaring Certain Property as Not Necessary for County Use and for the Exchange of County Property:

Deputy PA Alex Klempel said the Board recently approved a gun trade resolution for rifles and this one is for pistols, and it is the standard gun trade resolution structure. Lt. Brian Crawford has a quote from Oregon Rifleworks that itemizes the different values of the 150 Glock 17s which have a trade-in value of \$38,000 which will help CCSO reduce costs to finish getting the optics and lights for detention staff. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to declaring Certain Property as Not Necessary for County Use and for the Exchange of County Property as presented with an approximate value of \$38,000 on the itemized weapons. (Resolution No. 24-088.)

As part of the legal staff update there was discussion regarding homebuilding sites that are located in unincorporated Canyon County and are not part of a fire district, and the requirement by state code to be able to meet the international fire code. Deputy PA Klaas said there was a letter from the state fire marshal citing a statute from 1970 that says the Sheriff shall be the assistant in doing that and so the PA's Office is working with Emergency Manager Christine Wendelsdorf to let the fire marshal know that while the Sheriff's Office is very good at a lot of things, fire protection is not one of them and we have to find an alternative to have that accomplished. The immediate issue is there is a homesite that falls in this category and Director Minshall is working to find a solution with that property, but there is a larger issue that deals with how the County wants to handle the 180 parcels that may be affected by this going forward. It is premature to bring it to the Board at this stage. Director Minshall said this issue arose because it's a parcel under five acres; parcels over five acres are exempt from the international fire code. DSD accepted their building permit application and as part of the compliance review, they found a road users maintenance agreement is needed because they are accessing off a private road and shared driveway. Unless directed otherwise, DSD will issue a building permit on the property in question, while waiting for broader conversations to occur with the fire districts and the Sheriff's Office. Emergency Manager Wendelsdorf agrees with issuing this person's building permit because he got caught in the crosshairs and holding his building permit is not going to benefit anybody. She agrees that additional conversations need to occur. Commissioner Van Beek had follow-up questions regarding inspections and enforcement and further discussion ensued. Commissioner Brooks said he is in favor of the actions taken this far and the direction we are headed and he looks forward to further discussions. Commissioner Holton said in his opinion the original parcel holder

who split off the 1.8 acres knew what they were doing and when they sold it to this person who is now seeking a building permit. There are 180 parcels outside of fire districts and with House Bill 389 he doubts the districts will take on one more account because they are already in a losing battle funding-wise with what they have. He wants to be clear that the County is left with no liability. Chief Civil Deputy PA Carl Ericson said the tort claims act has exemptions and general broad immunities from liability that would probably apply here. Commissioner Holton appreciates Director Minshall defaulting to the direction of trying to enable this person to go forward, but said we need to be careful on how we proceed. Emergency Manager Wendelsdorf said fire departments are willing to work with the County on how these situations whether outside of fire districts or inside of fire districts are handled and to make sure they are in compliance because ultimately, it's about life safety of the occupants and the first responders. The meeting concluded at 10:09 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ASSESSOR TO DISCUSS FINANCIAL STATUS OF THE DMV

The Board met today at 10:32 a.m. with the County Assessor to discuss financial status of the DMV. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Motor Vehicle Supervisor Kimbra Asqueta, and Deputy Clerk Monica Reeves. Clerk Rick Hogaboam arrived at 11:08 a.m. Assessor Stender said with ITD taking over the easier transactions of renewing by mail and online renewals, the DMV is no longer able to share the cost of operation on those transactions. There have been challenges with the renewal stickers not showing up so the customers come to the DMV to follow up on ITD issues. He presented stats for FY2022, FY2023 and FY2024 on the average customers served and walk-in customers served. In April of FY2022 there were 51,800 served; last year there were 51,970 served; and this year they have served 52,400. They anticipated fewer transactions but the number are still climbing so he is not looking to eliminate positions. He reviewed the financial forecasted profit/loss analysis noting that with their projections they are at \$1.62M in revenue and \$1.68M in expenses so they are potentially looking at losing \$60,000 at the DMV this fiscal year. The DMV is set up to fund itself, and as they get closer to August and September they will see if they need to adjust the DMV fees to make sure they are covering costs. He has 24 fulltime positions, 1 part-time position, and a fulltime 5-month temporary position, which is now vacant. The part-time position is open but they may not fill it. One of his employees assisted during the election season and that person has now taken a fulltime position in the Elections Office at a higher salary. The DMV positions are not entry level and they are very challenging so he plans to discuss with the Board in the future the issue of paying the DMV positions a competitive wage with other County positions. There was a review of the stats on the in-office registration renewal counts, revenue, titles processed, title revenue, title admin fee counts, and title admin fee revenue. In the legislative session for 2023 they were hoping to get a \$6 title admin fee, but ultimately, they had to change to where the Board set the local title admin fee which has helped substantially to fund the office. Transactions are taking longer to complete because they are more difficult, but the system is slower and a lot of people are coming to the DMV to solve the online issues they are having with ITD. Commissioner Holton wants those numbers tracked. Discussion ensued about the increasing fees, and the costs the taxpayers are covering. DMV Supervisor Kimbra Asqueta said the state asks the DMV to subsidize their services

but they receive zero revenue for the services they provide to Idaho Parks and Recreation by issuing the restricted use plates for ATV's, UTV's and dirt bikes as well as issuing the parks passports. They have asked the parks and recreation department to raise their vendor fees, and there have been discussions with the state tax commission about giving the DMV a better percentage but there is nothing coming back. Of the \$1 fee per transaction they do receive, it - the \$1 amount - has not changed since 1984. The DMV team is collecting \$500,000-\$700,000 in vehicle title fees and receives only \$3,000 to do all the processing. They used to collect \$150,000 to \$200,000 and now it's substantially lower. There was discussion regarding the state mandated services the County has to provide without funding. Commissioner Brooks asked Assessor Stender to provide a list of services they provide with little to no monetary return so he can discuss it with Speaker Mike Moyle. No Board action was required or taken. The meeting concluded at 11:11 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: LURRE LN LLC, REPRESENTED BY ALAN MILLS, IS REQUESTING A REZONE FROM AN "A" (AGRICULTURAL) ZONE TO AN "M-1" ZONE (LIGHT INDUSTRIAL), CASE NO. RZ2023-0001

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by Lurre Ln, LLC, represented by Alan Mills, is requesting a rezone of approximately 27.16 acres from an "A" (Agricultural) zone to an "M-1" zone (Light Industrial), Case No. RZ2023-0001. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Dan Lister, DSD Planning Supervisor Carl Anderson, DSD Assistant Director Jay Gibbons, DSD Planner Doug Exton, Constituent Services Director Aaron Williams, Alan Mills, Mike Greiner, Bobby Jordan, David DeBlask, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Holton declared he is legally elected as a Mayor of the City of Greenleaf and as a Canyon County Commissioner and the subject property falls within the City of Greenleaf's area of impact but he does not have any conflict of interest, which is financial gain, from any manner of the decision that is before him today. He has no problem declaring he can look at this case without prejudice and look at the facts and testimony presented. He travels Highway 19/Simplot Boulevard daily and he passes by the property many times a week. Chairman Holton then read a condensed version of the hearing testimony guidelines and procedures. DSD Associate Planner Dan Lister gave the oral staff report. The applicant, Lurre Ln LLC, represented by Alan Mills, is requesting a rezone of approximately 27.16 acres from an "A" (Agricultural) zone to an "M-1" zone (Light Industrial). The subject property is located at 18840 Simplot Road also known as parcel number R36386. The parcel is original and has a dwelling on the property that was built in 1944. He reviewed the hearing criteria; the zoning in the immediate vicinity and surrounding area; and soils information. The property is in agricultural use at this moment and approximately 16 acres are considered prime farmland and the rest are not considered prime farmland. The 2030 Canyon County Comprehensive Plan designates the future land use as industrial which is commensurate with the Greenleaf Area of City Impact. The area is currently zoned agricultural and the average lot size in the area is 19.2 acres. There is a 40-acre parcel to the north owned by Lurre Construction that is zoned M-1; to the east there is another 40-acre property that was divided and rezoned to M-1; to the south is Gayle Manufacturing that is zoned M-1, as well as other businesses with similar uses.

The surrounding property predominately is zoned M-1 along Simplot Blvd., with sporadic agricultural zones. There was a review of previous land use decisions in the area, as well as public comments and agency comments. A traffic impact study will be required at the time of development. On February 15, 2024, the Planning and Zoning Commission recommended approval of the request. Following his report, Planner Lister responded to questions from the Board.

The following people testified in favor of the request:

Alan Mills testified in favor of the request and thanked staff for the comprehensive analysis. He said the request is the very definition of in-fill and if approved there will be a property tax benefit to the public and the County and an improvement in the employment opportunities. Companies are looking to locate in Canyon County and having property properly zoned and ready for potential users is a must if we are to compete for these opportunities. A good share of what is shown on the zoning map as industrial is owned by the Simplot Company and will never be available to the public for other uses. Following his testimony, Mr. Mills responded to questions from the Board. Mike Greiner testified that he concurs with Alan Mills' testimony and the staff report. He has been either close with or part of the Lurre Construction Company 30+ years.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Holton said he does not disagree with the P&Z Commission findings. The property was used as agriculture but hasn't been for a long time and this is definitely an M-1 zone fill-in that seems logical to approve the request. Commissioner Brooks concurs with the P&Z Commission's recommendation. Commissioner Van Beek said staff made the case that this request falls in line with what is occurring in the area and it has the unanimous recommendation for approval from the P&Z Commission. The Board agrees with the conditional rezone criteria. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve Case No. RZ2023-0001, a rezone of parcel R36386 from an agricultural zone to an M-1 zone (Light Industrial). Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the ordinance directing amendments to the Canyon County Zoning Map for Lurre Construction, Lurre Ln, LLC, a zoning map amendment for Case No. RZ2023-0001. (No. 24-007). Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The hearing concluded at 2:06 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM
CALDWELL, IDAHO MAY 10, 2024

There were no meetings held this day.

APPROVED CLAIMS

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

MAY 2024 TERM

CALDWELL, IDAHO MAY 13, 2024

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Jennifer McCall Williams, Emergency Communications, GIS Intern

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

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

- Macabi, Inc., dba Acapulco Mexican Restaurant

(Resolution No. 24-090)

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

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

(Resolution No. 24-091)

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

The Board met today at 3:30 p.m. to consider a resolution adopting changes to two job descriptions for attorneys in the Prosecuting Attorney's Office, and salary adjustments. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, PA Office Manager Melinda Longoria, Chief Criminal Deputy PA Doug Robertson, Chief Civil Deputy PA Carl Ericson, COO Greg Rast, HR Benefits Analyst Bosco Baldwin, HR Generalist Demi Etheridge, HR Director Rich Soto, Clerk Rick Hogaboam, and Deputy Clerk Monica Reeves. Doug Robertson gave a PowerPoint presentation on job description and wage adjustments, which is on file with this day's minute entry. The objective is to bring the CCPA into compliance so that all job descriptions, position control numbers (PCNs), and job titles matchup and by doing so they are hoping to retain employees and attract qualified applicants. Turnover has been terrible, mostly due to the flux that has existed regarding compensation and the compensation plan, but they are hoping the adjustments will provide a roadmap that employees can rely on, and that it will allow the Office to bring better prosecution services to the constituents.

Current Challenges:

- Job descriptions have not been updated since 2014.
- PCNs are not always tied to position, job description, or pay grade.

- Compensation levels based on “relevant experience” but no attorney-specific parameters.
- Little or no flexibility for merit-based advancement.
- Current job descriptions do not match the realities of employee experience.
- Majority of CCPA deputy prosecutors currently fall below, or outside of, the County’s compensation plan. 25 of the 36 deputy prosecutors need adjustments in some form to come into compliance.

Time is the PA’s Greatest Commodity:

- Our number one investment in our employees is time.
 - It takes a long time to become a fully qualified and capable prosecuting attorney.
 - At a minimum it takes a new deputy prosecutor six months to get to the point they can handle a magistrate caseload without close supervision and assistance.
 - It takes roughly two years before a deputy prosecutor is prepared to begin felony casework.
 - It takes roughly four years before a deputy prosecutor is fully qualified to handle a felony caseload without significant assistance, supervision, or guidance.

Losing Employees is Expensive:

- A brand new deputy prosecutor takes a lot of training in that first six months to get them to basic competency:
 - They have to learn vast amounts of criminal law and procedure.
 - They have to learn to navigate the court system and manage 500+ cases at a time
 - They have to learn our case management software, internal policies and procedures, and courtroom performance.
 - It takes a lot of dedicated resources to adequately train and prepare attorneys during their first few years of employment.
 - Professional fees
 - Association Dues
 - Mandatory CLE training
 - Time

Turnover:

- Since 2019 (the last five years), 27 criminal deputy prosecutors have voluntarily left their employment with Canyon County (75%+ turnover).
 - On average, those employees had 2.75 years of experience.
 - 19 of those employees left Canyon County for other public sector employment.

- 9 of those 19 went to the Idaho Attorney General's Office (5 of the last 8 people who left went to the AG's office).
- 8 left for private practice and/or left the practice of law altogether.
- The Idaho AG is our number one competitor for employees.
 - By contrast, they lost 2 employees to Ada County (one went to their civil division), 1 to Boise City (civil division), 1 to the U.S. Attorney's Office, 1 to Owyhee County (as the elected PA), 1 to the Public Defender's Office.
- Salary is always identified as either the primary reason or a significant contributing factor for the departure.

We are Paying to Train Other Agencies' Employees:

- The numbers demonstrate that we lose the greatest number of employees within that 2-5 year time period.
 - Logically, this makes sense. The deputy prosecutor is now nearly fully trained, has acquired marketable skills, and has tried a significant number of cases to a jury, which makes them highly sought after. They can leverage that training and experience into a higher paying job.
 - A recent departure is a prime example of the problem. Deputy PA who started as an intern with our office, then spent an additional two years as full-time employee. This employee advanced rapidly, moving onto a felony caseload and then recently onto a specialty caseload. This employee was paid around \$70k/yr. This employee left for the AG's office, doing a very similar job, and is being paid over \$90k/yr. If properly placed in the Comp plan, that attorney's salary would be around \$85k, which is much more competitive.
 - We lose almost no one after 10 years. In the last five years, the longest-term employee who voluntarily left had 7 years with our office. The next highest was 5.5 years.
- It's no wonder that the AG's Office is hiring employees with at least 2 years of experience and paying them \$90k/yr. because we are paying to train those people!

Job Descriptions:

- Haven't been updated since 2014.
- The new job descriptions are a much more accurate reflection of job duties within the PA's office.
- Potential Salary Grade Increases based on relevant experience as well as job duties/capabilities.
- DPA Attorney IV reserved for a select few of the most experienced and highly skilled attorneys.

- Because time is our number 1 commodity, we recognize that not all experience is created equal.
 - Under the current job descriptions, “licensed time” is the only time that is recognized. There is no distinction between an attorney who has worked for 10 years as a prosecutor at CCPA and an attorney who did 10 years of contract review, or even worse someone who has been licensed for 10 years but was not working in the legal field.
 - This has led to some unfortunate disparities in the past.
 - HR has fixed this problem on his end, but CCPA needs parameters to go by.
- Under our new proposal, “qualifying years” are calculated as follows:
 - Time with CCPA is credited at 100%.
 - Time as a prosecutor with an outside agency is credited at 75-90% depending on prior experience.
 - Time working as an attorney but not as a prosecutor is credited at 50-75%.
 - Time as a licensed attorney but not working in a legal field is credited at 25-50%.
 - This time is not without value, as there are ongoing educational requirements to maintain a license.

This will incentivize loyalty to the office and avoid the situation where an attorney goes out into private practice to make more money and then comes back after acquiring additional years of licensure and coming back to a salary equal to someone who has stayed with the office their whole career.

- Advancement between salary grades is determined by a combination of time and skill:
 - Attorney I
 - 0-2 years
 - Misdemeanor caseload
- Attorney II
 - 2-5 years (minimum)
 - Misdemeanor/felony
- Attorney III
 - 5-10 years (minimum)
 - Felony caseload
 - Demonstrated the ability to be essentially self-sufficient
- Attorney IV
 - 10+ years (minimum)
 - Exceptionally skilled
 - No deficiencies in any area

Breakdown Once Changes are Approved:

- Attorney I
 - 10

- Attorney II
 - 13
- Attorney III
 - 9
- Attorney IV
 - 5

As can be seen, we are bottom heavy. This is a result of high turnover. The bulk of our attorneys should be in the II and III categories. We are hopeful that bringing CCPA into compliance will assist in retention.

Budgetary Impact:

- For the remainder of FY24
 - \$68,049
 - CCPA is 7% below A-side budget up to this point of FY 24
 - Roughly \$350,000
- For FY25
 - Increase of \$160,000
 - About a 3% increase
- Total budgetary impact for FY24 and FY25 less than A-side budget savings from FY24 right now.

Chief Robertson said it's very frustrating to lose good employees because they cannot pay them what they deserve under the compensation plan and ultimately it has a negative impact on the County. We are facing unprecedented times with an uptick in gang violence and fentanyl-related deaths, and we need good qualified experienced people to handle these challenges. Commissioner Van Beek said she is aware that some of the negotiations started last August with requests for information, and in 2019 she recognized deficiencies with policy in the employee handbook, and with job descriptions and she has no idea why that information didn't come forward. She has objected to mid-year salary increases and said we need transparency for the decisions that are made in the budget process. Commissioner Holton spoke about how he appreciates and relies upon the Chief Operating Officer position and the HR staff who have worked on the documentation. COO Rast the packet is complete and includes a memo, the fiscal impact, the resolution and supporting documentation. He worked with HR and performed a comparison between Canyon County and Ada County on the criminal side, and a comparison with the PA's Office and the Public Defender's Department. There are 26 PCN changes in the packet, 20 of them have a salary adjustment impact. The proposed adjustments with all salaries total \$143,000 and with five months left of the fiscal year it is approximately \$68,000. The job descriptions are solid. He spoke about the job description difference between the criminal side and civil side because the years of experience are a little different. Chief Civil Deputy PA Carl Ericson said on the civil side they typically do not hire new people out of law school; they are hiring people who usually already have civil experience with a public entity and in doing that you cannot just progress people with

the same broad ladder effect of going up with jobs. Civil attorneys handle as many of the same types of issues as possible and the range of things is so broad that it doesn't follow the same track as the criminal side. He explained how the civil attorneys will go from three general categories in the old job descriptions to four. Two have spent their entire career in civil work and have been Attorney IV's for some time, and there are others who have not spent their entire career here. They have the same type of sliding scale as the criminal side. COO Rast said in his discussions with the PA's Office about the changes he suggested it be done to the whole attorneys and on the civil side there is one adjustment from an Attorney II to an Attorney III based on the new job description of years of experience. If the recommended changes are approved the positions will still qualify for compensation in FY2025. Bosco Baldwin said they have been working with Chief Robertson and Chief Ericson on trying to get this put together because the job descriptions are difficult to figure out. If you were to look at their roster prior to these changes you would see a lot of underfills because they are trying to use what they had their availability and make that system work. Once the recommended changes go through it should be a lot easier to compare. This is reasonable and they compared it against Ada County and after the changes go into play the average for those different levels - I, II, III, and IV - are spot on. We are slightly lower than Ada County, and we are not the AG's Office, but we'd have to decide as a group if we want to be the highest paid in the Treasure Valley. Commissioner Van Beek said salary is one component, others are job advancement, satisfaction, leadership and culture, and we look at what other contributing factors there are to help retain employees otherwise it's a wage war we cannot win. Chief Robertson said there are things in the job that are very difficult, and it takes a toll and there are people who leave the practice of law after being a prosecutor because they have seen enough and do not want to do it anymore and so regardless of what we do we will never have a 98% retention rate regardless of what we pay people because the job is a lot. They have restricted how case assignment/management is done so that those who are handling the most severe types of crimes have a little bit of a lighter caseload. He has instituted a rotation so there aren't people doing the specialty violent crime-type caseloads for long periods of time. He changed how they do training; they have morale events in the office, and they have good camaraderie. The primary concern is not about culture or the job. House prices are through the roof and people can barely afford to live so the Office is trying to address all the problems they can, and they are making great progress on a lot of fronts but on this issue, he does not have the authority to make the adjustment. There was discussion about the types of counseling services and resources available to employees and making sure people are aware of the resources. Idaho State Bar has very good resources available to attorneys. Their exit interviews show salary is the primary factor for people leaving, and so if we can be more competitive with other public agencies they will be able to retain people longer and through retention the increased skills they have additional responsibilities. Commissioner Van Beek believes the exit interviews should be done by HR so that that person leaving doesn't give token answers to the in-house person doing the interview. Chief Robertson said the person doing the exit interview needs to have a detailed knowledge of what the person's job is so they understand what kind of questions to ask because it's specialized. Commissioner Van Beek had questions about years of experience related to paygrade. Mr. Baldwin said it used to be tied to when they passed the bar exam they would use a matrix tied to that, but we eliminated that a year ago and now it's true experience as an attorney. HR will look at the experience coming in and apply it to equity levels for others in the same position to ensure the person coming in isn't paid

more than the person who has more experience. It is very fair the way the PA has applied it; they have a higher credit to Canyon County experience and then it comes down based on similar experience, etc. Commissioner Holton said this is information he has been asking for. Commissioner Van Beek wants to have a discussion in Executive Session regarding her questions about promotions in different paygrades related to a performance issue/personnel matter, which was held as follows:

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 2:23 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) 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, PA Office Manager Melinda Longoria, Chief Criminal Deputy PA Doug Robertson, Chief Civil Deputy PA Carl Ericson, COO Greg Rast, HR Compensation/Benefits Manager Bosco Baldwin, HR Generalist Demi Etheridge, HR Director Rich Soto, and Clerk Rick Hogaboam. The Executive Session concluded at 4:30 p.m. While in open session Commissioner Holton said there were no decisions reached or business being brought forward from the Executive Session, but the public meeting will continue.

Commissioner Van Beek said she appreciates the presentation by the PA's office and the work that's gone into the analytics and the evaluation, and she supports what has been presented with the salary impact that's been enumerated, no fiscal impact for 2024. Commissioner Brooks supports it as well. Commissioner Holton said it has been tumultuous and it is unfortunate that it got personal at times, but we finally have all the information that was necessary to make the determination. He made a motion to approve changes to two job descriptions, promotion of 21 Deputy Prosecutor Attorneys which includes changes to their titles, grade/salary ranges and 17 of their salaries; 9 Deputy Prosecuting Attorney position control number level changes; one title change from Investigator to DPA; and 2 DPA salary adjustments only in the Criminal and Civil Divisions of the Prosecuting Attorney's Office. Commissioner Van Beek said she heard there are 25 criminal positions that will be affected by a job change, some don't have a salary impact, but most do, and 1 civil position for a total of 26. The motion was seconded by Commissioner Brooks. And carried unanimously. (Resolution No. 24-092.) The meeting concluded at 4:38 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM

CALDWELL, IDAHO MAY 14, 2024

APPROVED CLAIMS

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

- The Board has approved claim 605604 in the amount of \$518.01

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

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

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

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

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

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

FY2025 BUDGET WORKSHOP FOR SOUTHWEST DISTRICT HEALTH

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

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

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

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

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

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

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

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

- Remove condition no. 7 which states "Crossing agreement with Black Canyon Irrigation District (BCID) must be in place prior to the issuance of any building permit(s)" with a request to replace it with "a crossing agreement must be in place prior at time building permits applied for." Or, "Crossing agreement must be in place prior to the issuance of building permit(s) to parcel #4 as cited on record of survey for Goodson Family Trust." *(Today's appeal is not going to address this condition because subsequent to the denial, the applicant submitted a partial withdrawal to not address this condition. The Bureau of Reclamation gave the crossing permit with BCID's approval.)*
- The applicant is also requesting to change the ingress/egress from the approved access per case no. RD2021-002 which utilized a proposed private road, "Indecision Lane" and the approved 28' easement reduction for a portion of the access. The applicant is requesting to replace this requirement with an alternate access for parcel 3 (R38437011) utilizing "Goodson Road," but it's actually the County 25-foot easement for a public road that comes off Goodson Road (that is Canyon County agreement with the Bureau of Reclamation).

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

The following people testified in support of the appeal:

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

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

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

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

Trevor Lantz gave testimony regarding the history of the property and said the intended use for the lane was for agricultural use for cattle. His grandfather initially sold this property to his sister and some of the background to that is it stems to the use of when it was Mr. Lantz's great grandfather's property where the original use was a homestead in 1904 on the other side of Goodson Road and that lane existed for his cattle use. The usage has changed a lot but for the most part it does intersect with Indecision Lane and comes off a private lane. It cannot be used for any other purpose because it intersects with an irrigation ditch. There is no other purpose for it at this time other than agricultural and residential which it is also currently being use for.

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

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

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

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

Commissioner Brooks asked if the Board can condition it and allow it at 25 feet? Deputy PA Wesley referred to the agreement with the Bureau of Reclamation it's called a county road that we agreed to maintain in 1978 and we made a lot of commitments to the Bureau of Reclamation for that road so it is limited to 25 feet and is subject to any other previously acquired rights by third parties and we are agreeing to maintain the road for the life of it. We are subject to all of the expenses that would be incurred with the road. If our construction of it interferes with the Bureau's operations we are liable to make a payment to them for any additional costs they would incur because of our use. The agreement has conditions and we have the permanence issue which is the Bureau can cancel the agreement if we are not complying with the term and conditions. Could we go lower than 25 feet? Not under the ordinance on a private road or the driveway requirements - those are all set at the minimums but potentially it could be called a county road and they are taking access off the county road which is only 25 feet. There was further discussion between the Board and staff.

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

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

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

The Board met today at 3:06 p.m. to conduct a public hearing in the matter of a request by Margaret Person, represented by Steve Law, for a comprehensive plan map amendment, and conditional rezone of approximately 10.66 acres from an "A" (Agricultural) zone to an "R-1" (Single-Family Residential) zone for a 7-lot subdivision, Case Nos. OR2022-0005 and CR2022-0011. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planner Michelle Barron, DSD Planning Supervisor Carl Anderson, DSD Director Sabrina Minshall, Steve Law, Kurt Smith, Gary Johnston, other interested citizens, and Deputy Clerk Monica Reeves.

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

The following people testified in support of the request:

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

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

The following people testified in opposition to the request:

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

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

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

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

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

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

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

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

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

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

Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted? Commissioner Holton said the 2020 comp plan created this plan to make it so it was in noncompliance and they did not correct it in the 2030 comprehensive plan.

Will the proposed comprehensive plan amendment impact public services and facilities. What measures will be implemented to mitigate impacts? Commissioner Holton doesn't think it will be

an impact for public services on sewer/water, but it's possible on road or power. There was discussion about what the Board could tell the applicant they need to do in order to gain approval.

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

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

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

MAY 2024 TERM
CALDWELL, IDAHO MAY 15, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Darin Bradshaw, Deputy Sheriff – received intermediate POST Certificate

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

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

Resolution no. 24-093

PRESENTATION BY THE HEALTH BOARD TRUSTEES

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

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

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

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

likely hit a critical underfunding point (possibly zero) in the next few years.

- We will have to get a sizeable one-time infusion of cash from the BOCC to stop the losses.
 - The Plan Document will need to be significantly modified.
 - Employee premiums will need to be significantly increased.
 - We will need to hire a good broker to assist with the potential changes and possible complete overhaul of current service providers.
- Option no. 2
 - Make all plans being used by the State of Idaho (HSA, PPO, Traditional) available to our employees.
 - Switches us to a FIXED costs moving forward
 - As of today, the fixed cost to the county would be \$13,000/eligible employee.
 - Improved budget/forecast expenses for Canyon County.
 - Fully mitigate all liability to the county from a benefits liability standpoint.
- Guidelines and costs to participating in the state program
 - One time buy-in of \$3,465 per benefit eligible employee = \$2,803,185 (based on 809* eligible employees) **809 employees is based on removal of Public Defender employees as they will be state employees by the time the county would go live with state insurance if approved.*
 - Ongoing payments of \$13,000 x 809 employees = \$10,517,000 annually
 - Total expenditure of \$14,480,508
 - Current coverage per employee is \$17,341.93 vs. \$13,000 if approved to join the state plan.
 - The next steps to apply to the state plan would be
 - Request inclusion
 - Review/response from state director
 - Risk analysis
 - Sign MOU
 - Buy-in

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

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

- Employer and employee contributions over the past 5 years; average yearly contribution is \$11,175,386.
- Total health trust revenues
 - Interest on savings
 - Pharmaceutical rebates
 - Stop loss reimbursement
 - Average revenue is \$12,525,983
- Health insurance fund total expenses
 - Between FY2022 and FY2023 county costs increased by 12.9% resulting in and overall loss to the health trust account of \$1,873,340
 - Estimated FY2024 cost with 10% increase is \$15,918,012
- Medical claims
 - Increased from 9.4% between FY2022 and FY2023
 - Current claim for FY2024 is \$3,964,984 which is down \$398,601 from this time last year.
- Pharmaceutical claims
 - Increased 25% from FY2022 to FY2023
 - Currently FY2024 pharmaceutical claims are at \$1,766,395 which is up \$122,254 over last year.
- Medical admin fees
 - Increased 10% over 2022
 - In FY2024, \$1,283,427 has been paid which is up \$233,818 over this time last year
- Health trust fund cash balance
 - Current balance is \$5,004,481
 - HRA liability is \$922,252
 - Fund is down \$154,478 from the beginning of FY2024
- Planning for the future
 - Hire insurance broker
 - New plan
 - Redesign of the current plan
 - Identify alternative, dedicated, funding for the health trust account
 - Increase premiums for both employer and employees
 - Option no. 1:
 - Change the County's per month contributions from \$1,053 to \$1200, effective immediately, and fund the Health Trust Account at total FTE, rather than based on enrollment.
 - This will add \$1,582, 308 in additional premium revenues

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

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

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

MAY 2024 TERM
CALDWELL, IDAHO MAY 16, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

APPROVED ALCOHOLIC BEVERAGE LICENSE RENEWALS

The Board approved the following alcoholic beverage licenses for renewal:

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

Resolution no. 24-094

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

Resolution No. 24-095

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

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

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

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

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

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

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson and Deputy P.A. Zach Wesley. The Executive Session concluded at 9:50 a.m. with no decision being called for in open session.

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

CONSIDER APPROVING CERTIFICATES OF NONCOMPLIANCE

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

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

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

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

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

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

DSD Principal Planner Dan Lister gave the oral staff report. The subject property is located adjacent to 4754 Bennett Road in Kuna. On September 5, 2023, the applicant submitted a Parcel Inquiry Request, PI2023-0182, for research of the history of Parcel R29035 and if the subject parcel, R29035010A, has a building permit available. The subject parcel was once part of an 80-acre parcel. The first division was in 1982 when the division created a 5-acre parcel (R29035) and a 75-acre parcel (R29035010). In 1986, Parcel R29035 was granted another division via a conditional use permit (CU2002-386). Both Parcels R29035 and R29035010 have

existing dwellings. The subject parcel, R29035010A was created by deed in 2023 when the owner of Parcel R29035010, Mr. Relk, sold the 2.07-acre parcel to Santiago Gomez (Instrument No. 2023-035238). The subject parcel was not created per the Canyon County Zoning Ordinance (CCZO §07-17-03 and Chapter 7, Article 18 of the County Code (Administrative Land Division). To abate the unauthorized division, the applicant was given the option to apply for a non-viable land division subject to CCZO §07-18-09, building permit relocation subject to CCZO §07-18-11, or a comprehensive plan amendment and rezone. On December 19, 2023, the applicant submitted an Administrative Land Division application to correct the creation of Parcel R29035010A subject to CCZO §07-18-07. Per the applicant's letter of intent, the applicant believes there is a division available to create the 2.07-acre parcel. The original parcel was 80 acres. Per CCZO §07-18-07(2), an 80-acre parcel is allowed two divisions (three parcels). On January 24, 2024, Case AD2023-0133 was denied by the DSD Director due to the request not being able to meet CCZO §07-18-07. It has already been approved for up to three residential parcels and if they want to gain more, subject to either the nonviable requirements, the relocation requirements, they could approach the owner and see if they would terminate that to gain the land division to an amendment to the land division. Following his report, Planner Lister responded to questions from the Board. The Board had follow-up questions for Deputy Zach Wesley and Director Sabrina Minshall. Discussion ensued regarding the land division application process.

The following people testified in favor of the appeal:

David Ferdinand, the applicant's representative, testified there was poor communication with the Development Services Department and said it took a long time to make the application because DSD would not accept Mr. Ferdinand's application for the administrative split. In 2021 DSD gave him information on the Relk property that had an additional split. They did not pursue a parcel inquiry until more conversations were had and he had an accurate accounting of what they were counting. The record talked about having 2 divisions, 3 residential parcels - it says previously approved divisions in the ag zone district may be amended to provide for divisions of the original parcel. They took the original parcel as the original 80. Mike Relk kept 75 acres, and the 5-acre parcel had been split off so he assumed what they were counting was two parcels at that time and they explained that the 75-acre parcel had an additional split, so they pursued it and they sold the 2-acre parcel to Santiago Gomez with the intention that it would be used for the construction of a shop and perhaps a home at some point in time. Currently he is using the property to park his trucks for his landscaping business. They believed they had one more split because the quasi-judicial process was done in a public hearing, not as an administrative split and was going on the original ordinance. Mr. Ferdinand asked DSD to get a legal opinion from Deputy PA Zach Wesley, but he never received one. It was their opinion that there had been two administrative splits and that is why he requested to utilize the third parcel for the two-acre parcel. Mr. Relk is a farmer and by selling off two acres he does not want it to appear he wants to stop farming. DSD Director Sabrina Minshall said if this is approved, at the time of building permit request, the building department would not approve just a shop if it was going to be used for storing equipment without the conditional use permit. That would be a secondary process to this land division discussion. Mr. Ferdinand said the Relk property was entitled to an administrative split and in trying to determine

how to get the matter before the Board, the only way to do it was to make application in the administrative split and bring it to the Board because of changes on how you handle the original 80 and how you handle the administrative splits that are available to an original parcel and not go through the nonviable farmland process when you have a 73-acre parcel that's remaining in farmland.

Santiago Gomez testified he bought the 2 acres last year because his house, which is where he operates his landscaping business, was getting crowded and because his diesel trucks are very loud and were annoying the neighbors so he found two acres where he could park his equipment. Eventually he would like to build a house on the property.

The following people testified in opposition to the appeal:

Bernie Ball lives across the from the subject parcel and he is opposed to the request because he does not want additional buildings affecting agriculture. The record has alluded that the decision to sell the property was because Mr. Ball built a house on the lot two years ago. To preserve farm ground, he took a corner from his property and built a house on that portion. The record says his house and shop caused issues and they felt Mr. Relk could not farm that close to a house and so if that was true in the Ball split, then the same can be said for this split. It's obvious this is becoming commercial, a portion of the two acres is fenced off and there is equipment and cargo containers located there.

Rebuttal comments were offered by David Ferdinand who said Mr. Relk wanted to make sure there was a responsibility to match what was happening there because if there were going to be adjustments for what they farmed they wanted to keep it together, not put it in the middle of a field. Mr. Ferdinand had a lot of conversations with DSD staff and Attorney Todd Lakey so they could ask questions as to how they wanted to go forward with various items, and he believes because of the way the ordinance read in the beginning these farmers were entitled to three parcels from an administrative process not going through a CUP. The decision made today will affect all the 80-acre parcels that are still out there.

Commissioner Holton wants to see legal counsel from a differing opinion from the County's counsel on how they would substantiate their argument. He didn't see that the code differentiates between the land division-it is cumulative. He hears what Mr. Ferdinand is saying, but said we need to treat everybody fairly. Deputy PA Wesley said that's how we've always treated it historically; a land division is a land division and there is no distinction between whether you've separated a parcel through a rezone or a conditional rezone or a conditional use permit or an administrative division. What we are counting from the original parcel is the number of divisions total no matter how you arrive there. DSD staff had those remedies available under the ordinance to do this. It's not that you couldn't accomplish an additional division here to create this parcel, it's that you would need to follow a difference process: revoke the CUP which would then create another division; or amend the CUP to create another division; or go through another rezone process to rezone it as residential. Under the administrative land division process that number is limited. Commissioner Van Beek said Mr. Ferdinand has a valuable argument, but she must look

at what the code says and interpreting that it appears Deputy PA Wesley is interpreting that correctly; it's a cumulative number of splits regardless of whether it's administered through the DSD Director or through a hearing. Deputy PA Wesley said he would look at a competing argument if there was one but at a court would tell us the Board, as the creator and owner of ordinances, will make that decision. Commissioner Holton said procedurally we are in a tight spot because the 1982 division was the 5-acre parcel, and the 1986 division has been a yet-to-exercise option and that is three splits and now it's clear why we impose time limits because they end up being an artifact that gets in the way and if we allowed this then it allows four (4) which is against the rules. Commissioner Van Beek said it is unique to her that the split on the 5-acre parcel makes it a 4 and a 1 because this is an agricultural area and in a rural transition area the minimum would be two so it's an anomaly. Director Minshall said what Commissioner Holton referred to was part of the path forward discussed when this parcel inquiry was first done which was if the property owner who had done the CUP did not intend to activate it or if it had a timeframe they could have either revoked it or if the owner does not intend to take it, they could say we want to nullify it then there would be the administrative division but it cannot be cumulative to go above that. It's why we have time limits, so we can say has it been activated? Commissioner Brooks concurs with the statements thus far, there is no differentiation between what type of split and how you get there. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. During deliberation Commissioner Brooks said he agrees with what has been discussed on the record. Commissioner Van Beek said there are options the applicant could explore and she agrees to uphold the Director's decision. Commissioner Holton said he finds David Ferdinand's arguments interesting, and he sees his point of view, but he has a responsibility to treat everybody fairly and he has not been persuaded otherwise. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to deny the appeal and affirm the Director's decision in Case No. AD2023-0133-APL. The hearing concluded at 2:35 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM
CALDWELL, IDAHO MAY 17, 2024

APPROVED CLAIMS

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

APPROVED MAY 17, 2024 PAYROLL

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

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

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

Resolution no. 24-096

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

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

MEETING TO CONSIDER APPROVAL OF AGREEMENT FOR OPERATION OF TRANSFER STATION WITH MM PROPERTIES - NORTHSIDE, LLC; AND CONSIDER APPROVAL OF A PERMIT FOR MM PROPERTIES – NORTHSIDE, LLC TO OPERATE A TRANSFER STATION

The Board met today at 11:00 a.m. to consider approval of agreement for operation of transfer station with MM Properties - Northside, LLC; and consider approval of a permit for MM Properties – Northside, LLC to operate a transfer station. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Carl Ericson, Solid Waste Director David Loper, Mike Murgoitio and other representatives with Timber Creek Recycling, Director of Constituent Services Aaron Williams, Communications Director Chad Thompson, Landfill Operations Manager Daniel Pecunia, COO Greg Rast, Other interested citizens and Deputy Clerk Jenen Ross.

Mr. Rast Greg spoke about how this project has made it thru the process to get to this point and Director Loper provided dates of when this project started and steps taken along the way. An outline of the timeline is as follows:

- Late 2020/Early 2021 Canyon County began transfer station concept discussions, noting the following benefits:
 - Adding another Solid Waste disposal site to Canyon County’s solid waste system
 - More efficient and adds convenience for community
 - Reduces truck and haul traffic to landfill, minimize landfill infrastructure
 - Reduce blowing litter throughout the County
- Spring and Summer of 2021 Canyon County and Timbercreek Recycling began informal discussions on land sale for Canyon County to operate a transfer station next to Timbercreek’s new recycling yard in Nampa. Conceptual layout drafts were created.
- Late 2021 private sector showed interest in moving forward with a transfer station concept.
- Timbercreek Recycling wrote a letter to BOCC dated December 17, 2021 notifying the County of their intentions to build and operate a transfer station within Canyon County.
- Early to middle of 2022 Canyon County and private sector vetted issues around county owned concepts and private owned concepts and the best path forward. Committee concepts were introduced to get community input.
- August 30, 2022 Canyon County adopted an ordinance (Ord. No. 22-019) creating the Canyon County Solid Waste Advisory Committee. The committee was created to be an advisory and recommending committee to the Board.
- First committee meeting was June 8, 2023, main agenda item was to introduce the committee, tour the landfill, vote officers and introduce the committee by-laws to the SWAC.

- Second meeting was held July 26, 2023, transfer station concepts were introduced and discussion.
- Third meeting was held December 13, 2023, Timbercreek Recycling presented their model and proposal.
- Fourth meeting was held January 10, 2024, the Canyon County SWAC voted to make the recommendation to the BOCC for a private sector owned and operated transfer station.
- January 17, 2024 BOCC held a public hearing to consider the SWAC's formal recommendation of a privately-owned transfer station in Canyon County.
- Early 2024, Agreement and permit were negotiated for Timbercreek Recycling to own and operate a privately-owned transfer station in Canyon County.

Mr. Murgoitio provided a recap of the presentation given on January 17, 2024. A copy of the PowerPoint is on file with today's minutes as well as the January 17th minutes.

Mr. Ericson gave a review of the process legal has gone thru in working with Timber Creek Recycling on the agreement and permit. He explained that this is allowed thru Idaho Code 31-4408 designated as a waste transfer approved disposal site. A couple important items of note are that this agreement addresses mixed loads, Timber Creek accepts trash from outside the county, however, county ordinance allow only for disposal of trash from Canyon County. Timber Creek has created a system to determine how much waste comes in from Canyon County and only that amount will be transferred to the Pickles Butte landfill. There is a confidentiality clause within the agreement, meaning that if Timber Creek believes there is confidential or proprietary information, they will be given the right to object to production of such documents. However, if it becomes an issue in regard to public records Timber Creek will then have the duty to defend and indemnify the county, in essence, take on all the burden of the withholding the information. This agreement will run with the land so if Timber Creek sells their facility the new facility will have the right to carry on the transfer station but it will be subject to all of the terms and conditions of both the agreement as well as the permit that will be issued. Director Loper noted that as part of the permit, Canyon County agreed to an 8% reduction to the tipping rate for transfer trucks only to recognize the benefit of reduced traffic out to the landfill.

The Board offered their comments on this process and their appreciation of the work that's been done by everyone involved.

Commissioner Brooks made a motion to approve the agreement for Operation of Transfer Station with MM Properties - Northside, LLC. The motion was seconded by Commissioner Van Beek and carried unanimously (agreement no. 24-043).

Commissioner Van Beek made a motion to approve a Permit for MM Properties – Northside, LLC to Operate a Transfer Station. The motion was seconded by Commissioner Brooks and carried unanimously (agreement no. 24-044).

In response to Mr. Rast, Mr. Murgoitio said their next step is to submit to Nampa with anticipated build to start in the fall with winter completion, worst case scenario being early spring.

The meeting concluded at 11:43 a.m. and an audio recording is on file in the Commissioners' Office.

MAY 2024 TERM
CALDWELL, IDAHO MAY 20, 2024

Treasure Valley Partnership Meeting

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

MAY 2024 TERM
CALDWELL, IDAHO MAY 21, 2024

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

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

Resolution no. 24-100

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

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

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 updated and to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, Chief Deputy P.A. Carl Ericson (left at 9:42 a.m.), Deputy P.A. Zach Wesley (left at 9:42 a.m.), Deputy P.A. Laura Keys (left at 9:42 a.m.), Director of Juvenile Detention Sean Brown (left at 9:38 a.m.), Mental Health Clinician Troy Mikolyski (left at 9:38 a.m.), Parks Director Nicki Schwend (left at 9:35 a.m.), Historic Preservation Officer Chelsea Boehm (left at 9:35 a.m.), Assistant Facilities Director Carl Dille (left at 9:42 a.m.), Fleet Director Mark Tolman (left at 9:42 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution appointing Chelsea Boehm to the Historic Preservation Commission: Director Schwend explained she would like Ms. Boehm to participate on the HPC Board this year instead of herself as she feels her experience will be beneficial to the Board. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution appointing Chelsea Boehm to the Historic Preservation Commission (resolution no. 24-099).

Consider Memorandum of Agreement to Support Clinical Services in Juvenile Detention Facilities: Director Brown explained this is a program that has been in place for 15 years. The MOA states that an evaluation needs to be done with 90% of intakes, however, Mr. Mikolyski does evaluations on 100% of the intakes. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the memorandum of agreement to support clinical services in juvenile detention facilities (agreement no. 24-045).

Consider signing Solicitation of Bids for the Fleet Shop HVAC Project: Ms. Keys said this is a standard letter that will sent outlining the timeline along with the draft contract. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the solicitation of bids for the Fleet Shop HVAC Project. A copy of the letter is on file with this day's minutes.

Consider resolutions approving new alcoholic beverage licenses:

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

Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the resolutions granting new alcoholic beverage licenses to Hot Chicken Idaho, LLC dba Dave's Hot Chicken (resolution no. 24-098) and The Chapp Wine & Tap, LLC dba The Chapp Wine & Tap (resolution no. 24-097).

The meeting concluded at 9:43 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH DEVELOPMENT SERVICES TO CONSIDER ACTION ITEMS

The Board met today at 10:30 a.m. with Development Services to consider action items. Present were: Commissioners Brad Holton and Leslie Van Beek, Assistant Director of DSD Jay Gibbons, Other DSD staff, Darin Taylor with Subdivision Maker, Representatives for Wyatt's Hollow and Oaklee Estates and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Approving Final Plat for Wyatt's Hollow No. 2, Case No. SD2021-0022: Mr. Gibbons said this property is zoned RR and is appropriate to the zone it resides in. It contains 22 residential lots, one private road lot, well irrigation with individual wells and septic. The preliminary plat was approved on January 29, 2021 and subject to 11 conditions of approval which have all been met. DSD is recommending to the Board that the final plat is ready for signatures. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to approve the final plat for Wyatt's Hollow No. 2, Case no. SD2021-0022.

Consider Approving Final Plat for Oaklee Estates No. 1, Case No. SD2021-0054: Mr. Gibbons said this property was zone R-1 by application in 2015. It contains 17 residential lots, a public road system, pressurized irrigation with individual wells and septic. The preliminary plat was approved in September of 2020 and subject to 9 conditions of approval which have all been met. DSD is recommending the plat be signed. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the final plat for Oaklee Estates No. 1, Case no. SD201-0054.

The meeting concluded at 10:37 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER APPROVING TAX CHARGE ADJUSTMENTS BY PIN

The Board met today at 10:48 a.m. to consider approving the Treasurer's tax charge adjustments by PIN for April 2024. Present were: Commissioners Brad Holton and Leslie Van Beek, Treasurer Tracie Lloyd and Deputy Clerk Jenen Ross. Treasurer Lloyd explained this is just the administrative monthly adjustments for April and the total amount to be adjusted off is \$11,866.21 for years 2020-2023. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to approve the tax charge adjustments by PIN for April 2024.

The meeting concluded at 10:50 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of an appeal by Gainelle Massoth, represented by Darin Taylor, of the Director's decision that denied a property

boundary adjustment of approximately two acres between parcels R35521010B and R35521010, Case No. AD2023-0115-APL. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Planning Supervisor Carl Anderson, DSD Planner Emily Kiester, Deputy PA Zach Wesley, Gainelle Massoth, Darin Taylor, Louis Massoth, Duane Darbin, E.G. Stritzke, Cynthia Bittick, Arvid Salisbury, Roya Nematallohi, other interested citizens, and Deputy Clerk Monica Reeves. DSD Planner Emily Kiester gave the oral staff report. The subject properties are located at 17121 Upper Pleasant Ridge Road in Caldwell (Parcel No. R35521010B) and 19161 Wagner Road in Caldwell (Parcel No. R35521010). The applicant submitted an application on November 3, 2023, for a property boundary adjustment of approximately two acres between parcels R35521010B and R35521010. It was denied by the DSD Director on December 20, 2023, and an appeal was submitted on January 3, 2024. On February 22, 2024, a survey was recorded that shows the requested property boundary adjustment. No deeds have been recorded at this time. In the surveyor's narrative it states the new property was established at the client's direction. The original proposal by the applicant was for a two-acre property boundary adjustment between Parcel R35521010B and R35521010. If approved it would have increased R35521010B's acreage by two acres, and decreased R35521010's acreage by two acres. Planner Kiester outlined the property history. Parcel R35521 contained two original parcels, one 20-acre parcel and one 40-acre parcel. On April 10, 2003, a conditional use permit, CU2003-46, was approved to divide the 40-acre parcel into three residential parcels including one 20-acre parcel and two 10-acre parcels. Around 2006, the owners of the 20-acre parcel (R35521010) divided off 1.15 acres without first obtaining the appropriate approval from Canyon County. In 2017, the division of 1.15 acres (R35521010B) and approximately 19 acres was recognized through AD2017-77 which transferred a building permit from R35539010 to R35521010 (at the time this parcel was approximately 19 acres). On December 10, 2019, R35521011 (one of the 10-acre parcels created through CU2003-46) was approved for a conditional rezone from "A" (Agricultural) to "CR-R1" (Conditional Rezone/Single Family Residential) with the condition that the property be developed in substantial compliance with the submitted site plan providing for an approximate one-acre parcel and the balance of 8.81 acres more or less containing the existing residence (CR2019-0010). On March 26, 2021, a short plat was approved for R35521011 (Trails End Subdivision), which created R35521101 and R35521100 (SD2020-0034). On August 6, 2021, a parcel inquiry was completed for Parcel R35521010 which stated that in order to divide the property per Canyon County Zoning Code, a comprehensive plan amendment, rezone/conditional rezone, and subdivision platting would need to be approved and completed. The parcel inquiry also outlined that the 10-acres could be sold to the neighbor via a mortgage split, but this would result in the divided parcel being seen as an illegal parcel with no building permit available. In 2021, the property owners of R35521010 divided off 10 acres (R35521010C) via deed without Canyon County's review or approval (Warranty Deed with Instrument #2021-67537). These were the findings in the Director's decision that denied the appellant's request for a property boundary adjustment since Parcel R35521010 divided off 10 acres without the County's approval and the 40-acre original parcel having divided into more than four parcels, a property boundary adjustment could not be completed until the parcel's current and future zoning are changed to a residential zone which is to be through the rezone/conditional rezone and comprehensive plan amendment process, and subdivision platting is complete. If the plat is approved it could potentially recognize R35521010C as a legal parcel and adjust the

property boundaries of R35521010 and R35521010B. Planner Kiester also reviewed the agency comments and public comments.

The following people testified in favor of the appeal:

Gainelle Massoth gave testimony regarding the property history. She moved to Idaho in 1982 and farmed in the Buhl area with her husband who was a research scientist for Syngenta Seed. In 1991 Syngenta moved their research center to Nampa and the Massoths sold their farming operation in Buhl and moved to Canyon County. In 2003 when Don Sayer sold his land at a very fair price the Massoths purchased 20 acres. Her building permit was originally going to be on the lane, an extension of Linden, but she decided it would be safer to have access to the road and so they moved their building permit to Upper Pleasant Ridge Rd. She does not believe it was illegal to do that because she owned the land, and she should be able to put her homesite at the best place for the future of agriculture and for convenience during bad roads during the wintertime. She didn't realize she owned the entire width of Upper Pleasant Ridge Road and between that and the 10-foot canal easement on her property she had to get an easement for the fire district so by the time all the easements were taken care of she didn't have an acre. Had she had the foresight she would have had a two-acre plot, but she did not realize it at the time. The property was listed for sale as a farm, so the Massoths did not think they needed to have the permission to sell farmland for farmland, and a farmer contiguous to that decided to purchase it. Now the Massoths are being told it was done illegally and they had to come to P&Z and get permission. The Massoths upgraded the irrigation which is still in use today and none of the ground has been taken out of farm ground. Mrs. Massoth said her husband is in declining health and they want to sell their property and move in with her son and in doing that she realized she doesn't have an acreage so she asked her son to reconvey two acres back to her so that a potential buyer could have pasture land, but her request was denied because DSD said her son had illegally sold 10 acres of farmland to another farmer as farmland. Mrs. Massoth said it is not illegal to get a straight line adjustment so she can add two extra acres to her home site so she can market the property as an acreage.

Darin Taylor is the attorney representing the Massoths and he testified that he met with a DSD planner and requested to meet with others who participated in the Director's decision, but he was not able to have a verbal discussion with staff and so the process became frustrating when they were not able to have conversations. He asked the following question of staff: Before a portion of one parcel that is farmed is sold to somebody else, is the person required to apply for a subdivision so they can go through the public hearing for platting assuming that the administrative land divisions have taken place? DSD responded that any subdivision after the administrative divisions are taken have to go through the public hearing process. Mr. Taylor said that is an urban rule in planning and he has never seen it applied in Canyon County. His letter, Exhibit 15, summarizes the two subjects he sees:

1. Is it the County's policy that if somebody wants to sell farmland that's not an existing parcel, if it's more than the four administrative divisions, do they really need to go through

the platting process to sell the property? Policy-wise that seems different than what he has understood.

2. Mrs. Massoth was denied for something her son did unknowingly. There was no malice and he did not know he needed to plat, which is unusual in the County. Under what basis which code does the County cite (city or state) to deny a request for a boundary adjustment? The only thing he found was in the boundary adjustment policy, it's not approvable if it creates a nonconforming land, parcel, building, or land use. Mrs. Massoth's request does not create any of those. Her son's previous transfer of that 10 acres created a situation where his property is arguably nonconforming.

Following his testimony, Mr. Taylor responded to questions from the Board.

Louis Massoth testified there have been a lot of inconsistencies and gray areas over the course of the 20 years they have been on the farm. In 2003 they were granted five permits. He owns two of those permits on his 23 acres. Later he bought his parents 19 acres to expand his acreage, just a lot line adjustment, because he was farming the property as well as farming 100 acres in the neighborhood. When he transferred the remaining fifth permit for his 23 acres, ultimately, he sold his 23 acres and moved to the 19 acres and built a home close to his family members. Later, the 23 acres he sold to Nick and Roya Nematallohi came with a lane that served their property as well as Don Sayer's original property and Duane Darbin's property. He sold the 10 acres as contiguous farmland; the intention was never to subdivide it for homes, it was to preserve the farm and eliminate his ownership of an ingress/egress road he longer used. It was a lot line adjustment and he used realtors and it was recorded. He asked DSD to do a parcel inquiry request and he was told some other unknown person had already made the request and therefore Mr. Massoth was at the back of the line. He closed on the 10 acres and sold it to the neighbors who bought his original 23 acres thus expanding their property to 33 acres. Going back to 2003, they have five houses on the property and those five permits were issued and it's public record. The farm as a whole has not changed in 20 years. They are not going through platting to request permits because they know that's not best for the neighborhood. When they were granted permits they were told they could put their homes anywhere they wanted on their 20-acre, 10-acre, 10-acre, and 23-acre tracts.

Arvid Salisbury and Duane Darbin stated they agree with the statements that have been made.

Neutral testimony was offered as follows:

Roya Nematallohi lives on West Linden Street and testified she purchased her property from the Massoth Family. She is in favor of Gainelle Massoth being able to own more acreage, but her question is about the statements that the property was divided illegally. She wants to make sure her investment is legal. Commissioner Holton said Ms. Nematallohi needs to take that question to DSD staff. Ms. Nematallohi said in that case she doesn't know if she wants to be in favor the request because they invested so much money in their property purchase and she wants to make

sure her assets are protected. She needs to do her own research and make sure what she owns is legal.

During rebuttal, Darin Taylor said the Massoths are happy to go through the platting and rezone process. He had asked DSD Principal Planner Deb Root if Gainelle Massoth and Louis Massoth apply for the rezone and subdivision that staff has indicated would have been the right path prior to asking for boundary adjustment, what if they applied and are not approved? Does that mean they cannot do the boundary adjustment, and what does that accomplish? Another consideration is if someone applies for a plat, especially across the street from an area of city impact, why not apply to put it into 2 ½ acre parcels or four or five-acre parcels? He believes that Louis Massoth answered that - none of the neighbors want that. He said the County's policy is an interesting policy for a pro-agriculture County, and he spoke about his previous experience as DSD employee and previous policies on land divisions. Following his testimony, Mr. Taylor responded to questions from the Board.

DSD Planning Supervisor Carl Anderson addressed nonconforming uses under the zoning ordinance and also language related to denying a property boundary adjustment. The ineligibility in this case is through the unauthorized division of land that occurred. In this case, the number of splits have already been exhausted which is why it's not eligible at this time. If it's 40 or more acres or if it's described as a ¼ of a ¼ then it would be exempt from the subdivision permits. In this case this does not apply there as well. The portion of property we are referring to in this scenario being the sixth division involves a property that is 9 acres +/- . It's not necessarily about it being agriculture in this case, it looks like the original parcel that was there has already exhausted the splits that were available to it. DSD is bound by the ordinance. It is not eligible for the property boundary adjustment. The adjustment does not create eligibility of a building permit or administrative lot split on a parcel that was otherwise ineligible. We are dealing with a property boundary adjustment between two parcels of land, and it does not appear they were created through an eligible process. Commissioners Van Beek and Brooks had additional questions for staff.

Planner Kiester read a late exhibit from property owners David and Carrie Thomas who live on Wagner Road. Their letter addressed the loss of farmland through development and said while they recognize the right of the owner to sell the property they do not wish to see further home building development. The rural nature of the area would be adversely affected by more homes, traffic and development.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Brooks said he struggles with the idea of how to adjust the boundary of a piece of property that didn't go through the process. He asked if the recognition of the parcel in 2017 changes the ability to adjust that property boundary. Planner Kiester said it recognized the 19-acre parcel at the time but because they divided 10 acres off it became unrecognized again because they did it without the process. Commissioner Van Beek said the applicant could change the comprehensive plan map and go through that process, but her problem with that is the size of the parcel doesn't qualify in that area, it would be anomaly

and if you rezoned a comprehensive plan and there are six on this, but now we are down to weighing the least amount of collateral damage. It would create spot zoning. There is intent to sell the property that would fall outside of family landholding which could potentially change the area again. Commissioner Holton said people make incorrect land divisions and then find they are in trouble. There has to be a rule of law and an organized way of doing land divisions and he understands that Mrs. Massoth needs additional ground, but we needed to have got here in an organized fashion. This 40-acre parcel has been divided 5 times, it's still over 4 and that's the problem. Commissioner Van Beek said they want to make the adjustment to attract buyers when they sell the home but we're assuming that no one would buy the home if it's not expanded. There's nothing saying the adjustment would make the property more or less desirable - it's already been split at the applicant's request for a size that they requested. Commissioner Brooks said the intent is not part of the criteria for determining whether we affirm or deny the Director's decision. He does not know how to rectify allowing the property boundary adjustment of a parcel that was created outside of the ordinance process, and so he is in favor of affirming the Director's decision. Commissioner Holton believes there have been six divisions on the property and that puts the Board in a bad position, but the worst position about trying to get what the applicant wants done is that it's already on an unrecognized parcel because it was already divided. He sees the need and if there was a legal way for him to get there today he would try to do that, but he doesn't have any way to deal with it.

Deputy PA Zach Wesley said a potential option would be to merge the 10 acres with the other contiguous property so it would be under one parcel number and there wouldn't be the problem with the nonconforming split. The other option would be to condition the boundary adjustment in the Director's decision so that it doesn't create any new parcels or has language that makes it clear that no new building permits are created on the split that's not recognizing that. Director Minshall said that is a creative option, but that would not be her preference because as we start conditioning things we are trying to fix something that wasn't done according to code to begin with. She would encourage that in future rather than trying to band-aid and make solutions for things that weren't done through a process we really should give a path. Her preference is to reapply versus a condition. Planning Supervisor Anderson said if the Board wants to pursue the solution presented of merging the parcel to put the property to the south he requests time for staff to evaluate because it is bisected by Linden Street which is a public road and it will require vetting, but he doesn't believe it would solve the issue of the split occurring on the 19-acre parcel after the division from 2017. The company name of JDR Group, LLC, also has ownership to the south. That's different ownership than Parcel R35521010 so in order to unwind that it would require a transfer of ownership at a minimum. He doesn't have a good solution other than what has been identified by staff, which is to rezone and subdivide, but it's not guaranteed it would be approved. Director Minshall said when we start looking at solutions that becomes a step that needs to happen with a new application, it would require discussion with the roadway agency and some review by the applicant on history research and title reports. That burden is on the applicant to work through that. Commissioner Van Beek said with staff's input and explanation, and recognizing there was no harm or foul intent on the applicant's part, there is a process for the long-term planning and development that we're trying to implement. The decision on how they choose to go forward rests solely with the applicant. Commissioner Brooks made a motion to deny

the appeal of Case No. AD2023-0115-APL, upholding the Director's denial of a property boundary adjustment for Parcel No. R35521010B and Parcel No. R35521010. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:56 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM
CALDWELL, IDAHO MAY 22, 2024

APPROVED CLAIMS

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

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

BUDGET WORKSHOP – COMMISSIONER AND CONSTITUENT SERVICES DISCUSSION

The Board met today at 10:38 a.m. for the Commissioners' and Constituent Services budget workshop discussion. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Director of Constituent Services Aaron Williams, Accounting Supervisor Sarah Winslow, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Rast referenced the spreadsheet he worked from and reviewed the Commissioners' budget line by line. A copy of this spreadsheet is on file with this day's minutes.

A Budget

- Elected Officials \$348,351.00 (3 Board members)
- Regular Employees \$349,802.00
 - Encompasses 4 positions – COO, Administrative Supervisor, Sr. Administrative Specialist and Communications Specialist
 - Currently the Communications Specialist position is in Constituent Services but being paid from the Commissioners' budget. Mr. Rast recommends moving this position into the Constituent Services budget.

B Budget

Mr. Rast reviewed individual line items. Line items of note included the following:

- Meals – increased to \$4000
 - Clerk Hogaboam suggested unlocking an additional GL code that could be used when hosting an event such as TVP or Cookies with Commissioners vs. per diem based. The Board is supportive of this change. Mr. Rast indicated he will likely split the \$4000 between the two GL codes.
- Mileage, Taxi, Parking, Hotel – Mr. Rast would like to attend the International County Management Association conference.
- Hotel, \$4000 – leave as a placeholder in the event of site visits to detention centers.
- Education and training, \$9500 – Commissioner Van Beek would like to see specificity on conferences/trainings in an effort to make this line item as concise as possible. This dollar amount will be left as a placeholder for the time being.
- Subscriptions, \$1500 – increased by \$900 for COO Rast's Lexus Nexus subscription.
- Employee appreciation, \$2000 – keep as a placeholder.
- Computer equipment, \$15,800 was recommended by IT for scheduled computer equipment replacement. With FY24 purchases this line will be reduced to \$10,000
 - In FY24, none of this budget has been spent so IT was asked to purchase some items from the FY24 budget in order to reduce the FY25 budget. Some of the items to be

replaced in FY24 included BOCC meeting room computer, laptop for Commissioner Van Beek and new displays in Commissioners Van Beek and Holton's offices.

Positions

- HR
 - Director Soto would like to repurpose the Compensation and Benefits position to a Benefits and Workman Compensation Partner. There would be no impact to the budget, it would just be a repurposed/retitled job description.
 - The Risk and Safety Manager position has been reevaluated as Risk and Safety are really two different things.
- Facilities – intends to propose 3 new positions
 - Safety Coordinator
 - Project Manager
 - Additional Maintenance Technician
- Other Offices/departments where positions will likely be requested include the Landfill, CCSO and Weed and Pest.
- Constituent Services
 - Budget and Policy Analyst

Priorities for the upcoming budget

- Some single points of failure (regarding staffing) throughout the county.
- Courthouse security
- Jail
- Ordinance and growth in the county
- Public safety
- ARPA projects
- Elections office and equipment
- Evaluation of vacant positions

Mr. Rast informed the Board that although revenues seem to be up, expenses are up just a bit more.

Discussion ensued regarding COLA vs. merit salary increases.

Commissioner Van Beek asked about dedicating an unspent portion of the fund balance to a capital improvement plan. Clerk Hogaboam appreciates the theory and concept but feels it may be a challenge as the county is not in a surplus year. Additionally, he would like to see some kind of policy to address how to handle years where there is a surplus.

The Board is supportive of moving the Communications Specialist position from the Commissioners' to Constituent Services budget as part of the budget cycle without a resolution as they feel the budget process is the formal process.

Commissioner Holton spoke about how the Board will need to address concerns regarding a jail facility. Based on last night's elections results it seems clear a bond for a new jail will never happen.

The meeting concluded at 12:02 p.m. and an audio recording is on file in the Commissioners' Office.

MAY 2024 TERM

CALDWELL, IDAHO MAY 23, 2024

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Jamf in the amount of \$22,459.50 for the Information Technology department (PO #6012)
- Dell in the amount of \$20,285.04 for the Information Technology department (PO #6011)
- Jatheon in the amount of \$7649.00 for the Information Technology department (PO #6037)

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

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

The Board met today at 9:34 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Deputy P.A. Alex Klempel (left at 9:43 a.m.), Deputy P.A. Zach Wesley, Lt. Martin Flores (left at 9:47 a.m.), Sr. Administrative Specialist Bunny Malmin (left at 9:47 a.m.), Compensation and Benefits Manager Bosco Baldwin (left at 9:47 a.m.), COO Greg Rast, DSD Director Sabrina Minshall and Assistant DSD Director Jay Gibbons (arrived at 9:41 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Designating Surplus Personal Property with Nominal Value: Lt. Flores spoke about how many of the badges worn by deputies have exceeded their service life and are in need of replacement. Additionally, badges have been purchased from two different vendors thus there are currently two badge versions in use. The Sheriff’s Office intends to allow deputies to purchase retired badges which is anticipated to generate approximately \$5000 to go toward the purchase of new badges. New badges will be purchased from Coble Company Promotions for a total cost of \$25,657.20. A large portion of the funding will come from the SCAAP grant and revenue generated from the sale of retired badges, it is anticipated that only about \$5000 will be taxpayer funded. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution designating surplus personal property with nominal value (resolution no. 24-102).

Consider letter to Idaho Department of Administration regarding County participation in State group health insurance plan: This letter is the formal request to the director of the Idaho Department of Administration requesting consideration of Canyon County’s participation on the State of Idaho health plan. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the letter.

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 9:47a.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, Deputy P.A. Zach Wesley, COO Greg Rast, DSD Director Sabrina Minshall and Assistant DSD Director Jay Gibbons. The Executive Session concluded at 10:25 a.m. with no decision being called for in open session.

The meeting concluded at 10:25 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 10:30 a.m. to consider matters related to Indigent Services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross.

Case nos. 2008-891 and 2010-908 have both met their obligation to the county and Indigent Services is requesting the liens be released. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the release of lien for both cases.

Case no. 2024-25 is a request for cremation and the decedent meet all eligibility criteria for county assistance. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the cremation.

The meeting concluded at 10:33 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:36 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution granting a transfer alcoholic beverage license to Abdu Utaev Holdings LLC dba Utaev Stores: Resolution no. 24-104

Consider resolution granting a transfer alcoholic beverage license to Gallegos Meat Market Caldwell LLC dba Gallegos Meat Market: Resolution no. 24-103

Both of these applications are for a change in ownership and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve both transfer resolutions.

The meeting concluded at 10:37 a.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR TREASURE VALLEY PARTNERSHIP

The Board met today at 11:32 for a FY2025 budget workshop for the Treasure Valley Partnership. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam (arrived at 11:34 a.m.), Accounting Supervisor Sarah Winslow, COO Greg Rast and Deputy Clerk Jenen Ross.

Commissioner Holton said this is a very beneficial partnership and that the funding request is based on population. A significant benefit to Canyon County is the funding they provide for the SAUSA program.

The FY2025 budget request is \$5580.

Discussion ensued regarding the SAUSA fund and program.

Commissioner Brooks made a motion to include the full amount of \$5580 in the budget. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 11:43 a.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR THE WESTERN ALLIANCE FOR ECONOMIC DEVELOPMENT

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

MONTHLY MEETING WITH THE ADJ AND TCA

The Board met today at 1:33 p.m. for a monthly meeting with the Administrative District Judge and Trial Court Administrator. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Interim TCA Benita Miller, Administrative Supervisor Tara Hill, COO Greg Rast and Deputy Clerk Jenen Ross.

Ms. Miller said the State Public Defender is working to finalize the job description for the District Public Defender and they hope to conduct interviews in July. Additionally, she spoke about funding for the Guardian Ad Litem program, she has asked for information from Mr. Bazzoli and will forward once it's received.

Discussion ensued regarding the interpreter position, the funding surrounding it and the Office/department the position falls under.

The meeting concluded at 1:44 p.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR THE CANYON SOIL CONSERVATION DISTRICT

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

FY2025 BUDGET WORKSHOP FOR THE CALDWELL VETERANS COUNCIL

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

the presentation is on file with this day's minutes. The meeting concluded at 3:34 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 4:01 p.m. to conduct a continued public hearing in the matter of an appeal by Destiny Platt, represented by Darin Taylor, of the Director's decision denying the request to modify two conditions from Case No. AD2021-0060 and RD2021-0021, Case No. AD2021-0060APL (AD2021-0060 MOD). Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, Destiny Platt, Steven Platt, Darin Taylor, Jenna Medina, Malee Thomas, Mike Johnson, Kevin Glenn, Trevor Lantz, and Deputy Clerk Monica Reeves. Today's hearing was continued from May 14, 2024.

Deputy PA Zach Wesley reviewed the proposed lease agreement to use a county road right-of-way easement which was provided to him by the applicant's attorney, Darin Taylor. One of the options discussed at the last hearing was exploring what an agreement like this would look like, but we have not had the ability to go back and forth with any edits or review it with the Bureau of Reclamation. If the County were to pursue an agreement like this we would need to include the other property owners who would use the roadway. In exchange for access to the right-of-way easement the Platts would pave and maintain that stretch to a different standard and it would be improved to an all-weather driving surface to be passable year-round. We need to engage an engineer to do some tests to make sure we are describing the surface correctly and to make sure the ingress/egress off the road from Goodson Road would meet highway district standards. The termination clause in Section 3.2 of the agreement is not an acceptable term to the County. We need to nail down the maintenance responsibilities and costs going forward. Deputy PA Wesley recommended eliminating Section 7 which would require arbitration. The agreement does not resolve the issue of the County not having a public road crew or resources at-hand. If the Bureau of Reclamation (BOR) or the County needed to get out of the agreement it would still leave these parcels landlocked if this was the only provision for an ingress/egress that was provided for. The federal authority over the property will trump any private or County interest.

Assistant DSD Director Jay Gibbons said the Platts property was properly split through the code requirements, and it does have access and the parcel will never be cut off from public access. It will be addressed off Indecision Lane, which is an approved private road, so staff is not worried about access being taken away from the Platts that's in place already.

There were follow-up questions from the Board regarding driveway standards, road requirements, and County resources.

Director Minshall said when the administrative division was approved the access was provided as an example through a survey the applicant provided and they have asserted the survey was incorrect and they do not have access off Indecision Lane though the private road driveway that was part of the administrative division would have been set aside. If that is true, one of the ramifications is the administrative division would become defunct and that would not be a parcel. If nothing else from this process happens that would be the part we have to address. In that case the remedy would be the private property owner would need to demonstrate what their access is and/or find an easement through the parcel that was divided. 25 feet does not provide for enough all-weather driving surface and the easement width for what currently is in a driveway. This is an anomaly; we don't know the geo-tech under it.

The following people testified in favor of the request:

Darin Taylor testified that the Platts are in support of working out a license agreement approach and he drafted the one PA Wesley referred to based on three he obtained from the Canyon Highway District. They are happy to have a conversation with staff about the language and substance in the license agreement. Is this going to be treated like an easement so it has to have a 28-foot wide easement, or will it be treated as a right-of-way which according to state law and the BOR agreement, 25 feet is the established width. Are we going to treat this as a driveway since it would serve only two residential units or are we going to treat it like a private road because the standards for construction are different? Maintenance responsibility is covered in the agreement. Who do you call at the County if something arises? Who contacts the Platts? They can adjust, modify, or remove provisions that are not acceptable to the County. The County won't need a dedicated road crew since the maintenance obligation is on the users. He likes the idea of bringing in the other user in an agreement but there is no leverage to require that. You will need a paved apron if it's considered a driveway you would not need one from the highway district's perspective, but the Platts would be willing to do one because it's that important.

Director Minshall said the Notus-Parma Highway District does not have any interest or need in having this public road easement made into a public road for their use. The intent of the language from the Bureau of Reclamation was for a public road - it has never been constructed and maintained for that intent so she is cautious. This cannot be an exclusive use. If the Board wants to pursue this we need to do some due diligence for the County's use to make sure that if we start fulfilling the intent, regardless of pays for it, that it is sufficient for the public use. It is a right-of-way easement for the intent of what would have been public so we cannot make it private. What's brought this conversation up is someone who wanted a new residential building permit and so the trigger was how is this going take access.

Destiny Platt testified that at the last hearing she was asked to find an example of a road that was issued to the County. She found an example where the County road in the Chicken Dinner and Symms Road area was granted from an individual to the County for the purpose of a roadway in 1979 and it was never transferred to a highway district. It is privately maintained. Commissioner Holton said there needs to be research to identify how it became County; it's an assumption that

the County owns a right-of-way. In this instance, the County doesn't it, the Bureau of Reclamation owns it and they've offered an agreement which under its own conditions we have broken.

Mike Johnson had questions about how the right-of-way pertains to him. He was directed to speak with DSD staff about that.

Director Minshall said part of the confusion is this is an easement. The language in the contract from the 1970s said right-of-way easement; however, the definition that Darin Taylor spoke about from state law about public right-of-way does include language that says the public agency has no obligation to construct or maintain but may expend funds on the maintenance of. If the County owned it just because that exists does not obligate any public agency to construct or maintain something on that space. It's not our right-of-way, it's an easement, but if it was and if we were a highway district, just because a right-of-way exists at some width does not mean it has to be improved to any sort of standard. If the Board wants to proceed down that route she recommends due diligence to make sure there is enough space. We are under no obligation to do so, it was intent language in the contract. If there is other language we have to work through with the Bureau of Reclamation that's a secondary conversation.

Kevin Glenn offered testimony as a relative and as former board member of the Black Canyon Irrigation District. He offered comments about the district and some of its personnel. He said we are here because Black Canyon Irrigation District gave incorrect information to the County regarding this plot and this easement. They stated it did not exist. They know about the easement; those properties were allocated throughout the district, and they are in many locations, and they gave many different easements for the people behind those properties not to be landlocked and to have access to their properties. It sounds like the Bureau of Reclamation is fine with the use of this for a home and in that case, there is already a home that is using it. The best situation is to keep it as an easement and let these people use it and maintain it. Mr. Glenn spoke of a situation involving a friend who he said was being forced by DSD to put an easement on his property because a development next door did not keep promises it made when its development got approved and a lot next to his was landlocked. The amount of pressure put on his friend to make those changes to allow his driveway and make him pave the apron when he had nothing to do with the development was ridiculous. He said Ms. Platt brought to his attention that Commissioner Brooks asked whether the Board had the ability to make variances - of course it does. Variances are done and things are changed. It was brought to his attention that all emergency service agencies are in favor of Destiny Platt coming in off Goodson Road, a much shorter and safer driveway. Following his testimony, Mr. Glenn responded to questions from the Board.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek the Board voted unanimously to close public testimony. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek the Board voted unanimously to accept the late exhibits. Commissioner Brooks said this is a convoluted issue and Mr. Taylor raised some good questions, but he doesn't want to put the County in the position of having to figure out an answer. This is a unique anomaly and he is unclear about the liability on the County if we enter into an agreement

like this. He doesn't want anything to do with it from the County's standpoint as far as trying to administer it and keep track of it. Commissioner Van Beek said just because there has been precedent set on poor decisions doesn't mean she should predicate future decisions based on poor ones that were made. There has to be road improvement regardless whether it's taken from Indecision Road or Goodson Road. Three years ago, the Board made a decision based on information that was provided in a hearing and it simply tried to accommodate a request and meet the legal access requirement. She sees concern in setting a different precedent and placing the County potentially in some liability by moving forward. The intent of this access was always public, but this can never meet the intent and so the County doesn't have the authority to grant access. She has no changes to Staff's findings. It's not simple to shorten that 1,300-foot access that was originally granted and go to the opposite end. She cannot find a way to go forward with this and not put the County in jeopardy on the consumption of time for legal staff and DSD for this. It would be a civil matter if there was incorrect information that was provided. Commissioner Holton said land use decisions are difficult and often messy. The Bureau of Reclamation owns the ground, the County does not. He does not believe he has the authority to make an agreement on an easement right-of-way, even the vernacular frustrates him because they do not stay consistent. He does not have a clear title on the ground underneath this; all he has is a document about an offer of a right-of-way easement. He appreciates Darin Taylor's attempt but said the County does not have the authority to negotiate this kind of agreement. He needs to uphold the Director's decision. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek the Board voted unanimously, based upon the findings of fact and conclusions of law, to deny the appeal affirming the decision by the Director of DSD for Case No. AD2021-0060-MOD-APL. The signed FCO's are on file with this day's minute entry. The hearing concluded at 5:03 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM

CALDWELL, IDAHO MAY 24, 2024

APPROVED CLAIMS

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

No meetings were held this day

MAY 2024 TERM

CALDWELL, IDAHO MAY 28, 2024

APPROVED CLAIMS

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

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

Resolution no. 24-105

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

Resolution no. 24-111

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

Resolution no. 24-112

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

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

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

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

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

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

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

CANVASS ELECTION - CANYON COUNTY ELECTIONS OFFICE

The Board canvassed the May 21, 2024 Election results. The official documents were presented by Elections staff and were signed in the Elections Office.

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

The Board met today at 2:01 p.m. with the County Clerk and Eide Bailly for the presentation of the FY2023 Annual Comprehensive Financial Report (ACFR). Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Kailey Holt from Eide Bailly, Clerk Rick Hogaboam, Audit Supervisor Sarah Winslow, COO Greg Rast, Treasurer Tracie Lloyd, Assessor Brian Stender, Director of Court Operations Jess Urresti, Senior Systems Analyst Steve Onofrei, Constituent Services Director Aaron Williams, and Deputy Clerk Monica Reeves. The ACFR, as well as the letter dated May 2, 2024, from Eide Bailly, are on file with this day's minute entry. Kailey Holt's review of the components of the ACFR are highlighted as follows:

There was no single audit this year. There are no material misstatements from what they can see and what they were able to determine as a result of their audit procedures. It's a clean or unmodified opinion, which is what is preferred. Last year's opinion was different because of the modification to the Ambulance District report. This year that modification was removed.

The Change in Reporting Entity: This paragraph notes the fact that the Indigent Fund, which was previously reported as a major fund for the County, has since been closed out and is no longer presented as part of the basic financial statements.

Correction of an Error: They had a restatement of prior year balances that were presented to the Board and the result of that was from the opioid settlement amounts. There was a lot of nuance in the accounting practice for how those amounts were reported and treated and in figuring out the amounts the County was entitled to receive and had received thus far it did require a correction of balances previously reported in the ACFR.

Management's Discussion and Analysis is where the financial information becomes digestible and provides comparisons to prior periods.

Currently, countywide there is a \$25.1M unrestricted net position which is a strong net position.

There was a \$5M adjustment to the general fund (a restatement of beginning fund balance).

Eide Bailly performed some additional procedures, specifically over transfers where they looked at the authorization of transfers and how that worked in the accounting department and making sure transfers were appropriately supported and that they had a legitimate business purpose and that they could see a delineation of what was coming out and where it was going. Nothing came to their attention when they performed that procedure that was of concern.

Financial statements for the landfill and the self-funded health insurance.

- The big thing they saw was the purchase of new land, so they tested that transaction and made sure it was authorized and recorded appropriately.

There was a review of the Notes to Financial Statements: Note 3: Cash and Investments and Note 8: Capital Assets

Note 14: Pension Plan

- Net pension liability does not represent a future commitment of County resources that you are required to pay out. It's just one of those government accounting standards that is required to be reported as what the County's share of the overall liability is. The County makes statutorily required contributions in accordance with the standard rates.

Note 16: Restatement

- There are two elements that made up the restatement this year: Adjustment A is the transfer of fund balance (\$4,622,136) from Indigent Services moving to the General Fund. The total fund balance was moved from Indigent Services to the General Fund and there were some people and personnel that landed in the Justice Fund. The General Fund and Tort Fund are one of the same for financial statement reporting purposes. Adjustment B is specific to the opioid settlement amounts. There was some nuance with the account for the settlement amounts because the settlement checks showed up in the mail with little to no context of what it was for so people were catching up on how to record the information. This is the year they figured out the most appropriate way to present that information in the financial statements which resulted in the \$2.2M adjustment to the balance sheet. There is a future payout schedule; the settlement amounts for the State of Idaho were being managed through the Attorney General's Office so they have a schedule of future payout amounts of what we will receive each year and how much. The County is entitled to receive around \$2.6M so over the course of the next 16 years with the first round of settlements the County will receive \$2.6M. The \$2.2M is the receivable as of the end of the fiscal year for what hasn't been paid but has been agreed upon by each of the parties. \$457,444 noted in the general fund is the revenue the County should have recognized based on the cash receipts of what's been received so far.

Note 17: Discretely Presented Component Uni. This presents the most pertinent or material disclosures of the Ambulance District.

Page 120 is the Independent Auditor's Report on Internal Control Over financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards. This is otherwise referred to as the yellow book opinion or the government opinion. It is a clean opinion. There is a scale of severity of findings. The least severe is a significant deficiency in internal control, and then it steps up to a material weakness in internal control; and above that is material noncompliance. This year the County received a material weakness in internal control because of the dollar amount involved.

Schedule of Findings and Responses (Page 122)

2023-0001: Material Audit Adjustment and Correction of an Error Material Weakness in Internal Control:

The original trial balance provided to the auditors included a misstatement of \$2,004,636 relating to compensated absences in the governmental activities level. The journal entry was booked backwards and wasn't caught during the normal review processes. It was an adjustment they found as a result of their audit procedures and because of the way it doubled everything. The result was a material audit adjustment of \$2M. There is no material misstatement in the financial statements because it was posted and corrected but they are required to call it out because it was something Eide Bailly found.

The second one is in relation to the opioid settlement amounts. Whenever there is a restatement, the reporting of a material adjustment is a given. Ms. Holt said the Board shouldn't worry too much about this because it occurred with nearly every large general purpose government in the state because everybody is restating their financial statements to get this corrected. They had a conversation with accounting staff who said they will do things differently in their review process next year to make sure it doesn't happen again.

Ms. Holt reviewed Eide Bailly's letter dated May 2, 2024. Based on the correction of \$2M, it wasn't a bank issue, it was a liability issue; the accrual for the paid time off and leave. It was a liability amount and so liabilities originally were overstated on the balance sheet because of the double booking of that entry, and so when the entry fix it was posted the liabilities came down. Originally liabilities were overstated, an adjustment was posted and they came down to reflect what their true balance was. The other piece of that would be a payroll or benefit expense would have been overstated as well. Commissioner Brooks asked how in-depth the audit is for the internal controls? Ms. Holt said they found the adjustment was not the result of any changes in their audit process or procedures in how they approach their audit procedures. It was the result of normal testing they do over the compensated absences balance to make sure what's being reported in the general ledger agrees to the underlying support. An audit over internal controls is a different engagement than the audit of the financial statements. Clerk Rick Hogaboam said the management narrative was provided by the prior Clerk. What jumped out to him were some of the adjustments in the net position which is a factual recording of the position of the County and it states that the revenue reduction was an intentional policy decision made by the Board at that time for FY2023 to not collect as much via property taxes so he thinks the net position of the County was \$20M. The total net position decreased by \$20.8M. This was a policy decision to provide property tax relief so it's included in that second bullet point on Page 13. The total revenue decreased by \$12M due to property tax relief provided to property tax payers by a \$14M reduction in the amount of property tax levied. Our fund balance in how current expense is reporting doesn't look as bad as it would be if there wasn't an Indigent Fund transfer. Commissioner Van Beek said the intentional use of fund balance and the reduction of that was not intended to be a permanent and ongoing request for property tax in future years. She was not in

favor of that. Assessor Stender said property owners received their assessment notices and on the Canyon County budget line there is a stark increase. Eide Bailly's report acknowledged that we did budget for significantly less and it was attributed to helping give property tax relief. Commissioner Holton said the one-year choice to do that was absolutely unsustainable. Treasurer Tracie Lloyd said the percentages information shown on the assessment notices is very vague and it's comingling assessment value and property tax dollars so it does not provide a clear picture. It varies by the area and it's not helpful information to the taxpayers. She said they have been telling taxpayers for three years not to expect this to continue because we knew it wasn't sustainable. Regarding the County's internal controls, she said the segregation of duties and the separation of duties between offices is very important and she feels they have it well under control. Ms. Holt said the risk with internal control is lack of documentation and it's important to make sure things are documented, in place, and being followed. She said the County has good documentation from that perspective of what the expectations are in each department.

No Board action was required or taken as the meeting was informational purposes only. The meeting concluded at 2:49 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM

CALDWELL, IDAHO MAY 29, 2024

FY2025 BUDGET WORKSHOP FOR THE ADVOCATES AGAINST FAMILY VIOLENCE

The Board met today at 9:31 a.m. for the FY2025 budget workshop for the Advocates Against Family Violence. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, COO Greg Rast, Kim Deugan with AAFV, DSD Director Sabrina Minshall (arrived at 9:57 a.m.) and Deputy Clerk Jenen Ross.

Ms. Deugan spoke about how they used last year's funding, the increase in intakes this year vs. last year, outreach programs, increase in shelter nights, renovations and maintenance that need to be done to the building, reduced funding from the Idaho Council on Domestic Abuse and Sexual Assault, reduced staff/increased workload and services provided in other counties. At the request of Commissioner Van Beek, Ms. Deugan spoke about the working relationship she has with the Prosecutor's and Sheriff's Offices.

Commissioner Brooks asked about fundraising efforts and a sale of assets listed on their P&L sheet but not included in the budget. Ms. Deugan spoke about their fundraising efforts and how with the increased cost of everything, charitable giving has decreased. She addressed the question regarding the sale of assets stating that those monies have been earmarked for a new shelter; a new shelter will need to be built or the current shelter will need to be completely remodeled.

The FY25 budget request is \$75,000.

Commissioner Van Beek said she is in favor of AAFV soliciting partnerships with surrounding communities.

The Board is supportive of this request and will be carrying this requested amount forward into the budget workshops.

The meeting concluded at 10:04 a.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR THE WEST VALLEY HUMANE SOCIETY

The Board met today at 10:05 a.m. for the FY2025 budget workshop for the West Valley Humane Society. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, COO Greg Rast, DSD Director Sabrina Minshall, Jennifer Adkins and Shane McMichael with WVHS and Deputy Clerk Jenen Ross.

A presentation was provided to the Board which covered the following areas:

- Increased intake rate
- Graph indicating 'save rate'
- Lifesaving programming
- Review of financials – indicating growing county population along with growing costs for the shelter. It does not appear that there has been an increase in county funding since inception of the shelter in 2011.

Mr. McMichael spoke about some of the financial struggles the shelter has faced in recent years. To the best of his knowledge, it doesn't appear that there really has been any great accounting in recent years nor accounting policies and procedures which is something they are working to create and implement as soon as possible.

FY2025 funding request is \$300,000 which is a \$100,000 increase from previous years. Unfortunately, charitable giving has decreased and that impact has been felt by the WVHS.

Discussion ensued regarding the financial and accounting issues that have been discovered by Mr. McMichael and Ms. Adkins. Unfortunately, Mr. McMichael has only been a part of the Board for a short time and has not had the opportunity to do a thorough evaluation or implement any changes. The BOCC would like another meeting with WVHS staff and Board for a more in-depth conversation regarding the financials. Mr. Rast suggested meeting again on July 26th.

The meeting concluded at 10:56 a.m. and an audio recording is on file in the Commissioners' Office.

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

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

DSD Principal Planner Michelle Barron gave the oral staff report where she reviewed the case summary; the hearing criteria for a C.U.P; the P&Z Commission's basis for denial where they found that criteria #4 & #7 could not be mitigated; the applicant's request; site photos; agency comments; public comments; and the recommended conditions of approval if the Board approves the request. The subject property is located at 80 S. Robinson Road in Nampa, on Parcel R30624010. The case was originally heard and denied on June 15, 2023. The appellant is submitting the appeal on the basis that the decision was not supported by proper evidence, and that they were not provided with a fair hearing process. On September 21, 2023, the Board remanded the case back to the P&Z Commission to flush out possible conditions and more fully consider the evidence. The case was denied on January 18, 2024 by the P&Z Commission. An appeal was filed on the basis that the decision was not supported by substantial evidence and the concerns brought up during the P&Z Commission can be appropriately mitigated. The request is for a C.U.P. for a staging area to allow the property to be utilized for their excavation business. The request is to bring the property back into compliance after a code enforcement issue for storing the materials for the business without a C.U.P. No work will be conducted on site. There is adequate parking for the offsite employees who will utilize company vehicles. The appellant is offering to remove the dirt storage on the site to help mitigate many of the concerns. The property is located within the Nampa area of city impact, and the future land use is low-density residential. Canyon County designates the future land use of this area as agriculture. As a condition of approval, the appellant has proposed the use of the staging area shall terminate at such time that Nampa city limits are touching the property on two sides.

The following people testified in favor of the appeal:

Elizabeth Allen with Bristlecone Land Use Consulting testified on behalf of the appellants. The P&Z Commission identified actions that could be taken by the applicant to gain approval: Reduce the number of trips and equipment impact and provide buffers. The applicant has identified mitigation to address those concerns. JC Excavation, LLC, has been in business since 2017 and is owned by Juan Carlos Nieves and the manager is Mario Nieves. This is a staging area for materials

and equipment such as bulldozers, excavators, skid steers, loaders, dump trucks, and equipment buckets. She reviewed site photos showing the storage area noting that the previous dirt storage area along Robinson Road has been removed to mitigate the neighbors' concerns about noise and dust as well as the concerns about noise from when they unload the dirt for the backup alarms from the equipment. On the original site plan, they proposed a berm along Robinson Road with a sight 6-foot sight obscuring fence and a site obscuring fence on the north side of the property and will plant landscaping to prevent erosion. Today she will present an updated site plan. Ms. Allen reviewed the analysis of the criteria discussed at the P&Z Commission hearing and said the request will not change or negatively affect the area. A lot of the equipment on site is the same type as used by farmers throughout the area. There are sporadic residential sites and there are staging areas for two excavation businesses within the vicinity. A majority of the properties in the area have unmitigated storage for personal property. She reviewed the agriculture and rural residential character. They will comply with the requirements of the Nampa Highway District. The applicant is proposing that when the City of Nampa touches the property on two sides the use will cease to operate.

Juan Carlos Nieves testified he is the owner of JC Excavation and is seeking a C.U.P. for a staging area for his business. They do not want problems with neighbors, but the neighbors across the street are unhappy with them. He has been trying to do the right thing to get the approval. They will not have any dirt stored on site. The plan is build a berm along Robinson Road and build a fence along the west, north and south sides to avoid noises. The noise coming from the property is from starting equipment for 10 minutes in the morning, and when they return to the site at the end of the day. He is amenable to changing the hours of operation.

Grant Peterson lives on Robinson Road and has no objections to the request by JC Excavation. He said there are two other excavation businesses in the area, so he doesn't see any problem with JC Excavation being there. He testified the property on the other side of his property has travel trailers and semis parked on it and they are in and out of the property quite a bit throughout the day.

Andres Gordillo testified that he lives on Robinson Road and he will be speaking on behalf of his father, Macario Gordillo. They are close neighbors with JC Excavation, and they have not noticed any disturbances, and they find them to be good neighbors. He said there are other similar businesses located along Robinson Road so it seems unfair that JC Excavation is not able to park their equipment on the site.

Testimony in opposition was as follows:

Harry Robinson testified that he lives directly across the street from the subject property, and he is a registered professional civil engineer with 50 years' experience in managing heavy engineering construction projects, building rapid transit systems, pump stations, airports, and bridges. He is not against construction; the activity at 80 S. Robinson is a busy construction yard, not a staging area. He said Bristlecone Land Consulting stated the P&Z Commission's denials were not based on

substantial evidence, but he disagrees because there was substantial evidence to justify the denial. They operate on the weekends and holidays and after 8 p.m. Future land use designations are low-density residential as Nampa wants to do. They state the closest home site is 300 feet away, but his living room window is 96 feet away. The operation has dramatically changed the character of the area and negatively impacted his quality of life. Trucks hauling trailers with large equipment have backed up traffic while trying to turn against 50 mph busy oncoming heavy traffic. He does not believe the applicant's representative has presented truthful information and he questions their credibility and whether they will honor conditions should the Board overturn the P&Z Commission's denial.

Barbara Harris testified that she lives directly across the street from the subject property and there is a mountain of testimony from herself and her neighbors. The land is designated as agriculture, but it is functionally residential with a lot of surrounding houses, and she doesn't believe the business belongs there. Robinson Road is a two-lane country road with no turn lanes and ever-increasing traffic. There are times when there are 6-10 cars backed up in both directions when trucks try to turn into the property which increases the risk for accidents. Trucks going in/out make a lot of noise. She appreciates they will not store dirt on the property. She said this case comes down to a choice between the convenience of a renter (JC Excavation is a renter) and the homeowners' expectations that they will be able to live in peace. The activity of trucks and trailers profoundly affects the surrounding homeowners' living environment. This should not be an industrial area. This is a staging area for construction equipment, not agricultural equipment.

Rebuttal testimony was offered by Elizabeth Allen who testified that she has a master's degree in planning and has been working in Idaho for jurisdictions and in the private sector for almost 10 years. With the house bill that just passed it clarifies that the County will have jurisdiction within the areas of city impact. Regarding the measurement from the site to nearby homes, she took the measurement from the staging area and said the home is just over 300 feet from the area as well as the property to the north. The property to the south is actively farmed as well as the one to the east. Farm equipment is always moving on these roads which causes traffic concerns. A CAFO is located to the north, and they use dump trucks and similar equipment as is used by the applicant. Farmers commonly use the same equipment: skid steers, trailers, etc., and if they wanted to change their business to a landscape business it would be the same equipment and it would be allowed in the agricultural zone. When employees leave the site it is their job to drive the equipment in a manner so as not to enter or exit the site unsafely. Mr. Nieves' sister lives on the property and the property owner has given authorization to proceed with a C.U.P. and for him to use his property as a staging area as he has for the past 2 years.

The Board had follow-up questions regarding conditions. Commissioner Brooks said not storing dirt on site would negate condition no. 5 that was presented to the P&Z Commission where it said stockpiles of dirt would be watered. Commissioner Van Beek said OSHA requires beepers on all heavy equipment and there was testimony at the P&Z Commission hearing that they didn't know if they could turn those off and the answer is no. That is not a noise that can be mitigated because the beepers stay with heavy equipment. Ms. Allen said if they have someone guiding them as they

backup they could turn the beepers off, or there are options that they reduce the amplifications of the beepers, they are not as loud as the traditional backup alarm. Planning Supervisor Carl Anderson the letter of intent February of 2024, appears to only show four conditions, but their presentation appears to show five. What are the conditions? Ms. Allen said they are proposing the following five conditions:

- #1 A sight-obscuring berm fence along the frontage of Robinson Road.
- #2 A sight-obscuring fence along the northern property line.
- #3 No dirt staged on the property.
- #4 Nampa Highway District requirements.
- #5 The use of the staging area shall terminate at such time Nampa city limits are touching the subject property on two sides.

Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks the Board voted unanimously to close public testimony. Commissioner Van Beek said Canyon County is an area that is changing and people who live next to uses are impacted differently than people who rent. Even though a C.U.P. allows a staging area it significantly changes the air quality, noise quality, and the quality of life in that area and the fact that other businesses are operating in proximity without a C.U.P. is irrelevant and it's probably a code enforcement issue the County needs to look at but it does not make it right and as a landowner that should take priority over what happens in the area over a land renter. She spoke about the heavy traffic on Robinson Road and the issues with making a left-hand turn. She finds the proposed use and the proposed mitigation measures to be problematic and she is in favor of upholding the denial by the P&Z Commission. Commissioner Brooks sees this completely opposite from Commissioner Van Beek because he travels the road daily, and he said the equipment that the applicant is trying to move around is not even close to the largest pieces of equipment that travel this road all hours of the day. He believes the additional conditions could mitigate a lot of the concerns. Commissioner Van Beek said it doesn't feel right to try to mitigate a problem for someone who is renting property. She made a motion to deny Case No. CU2023-0002, a C.U.P. for a staging area for Parcel No. R30624010, as per the P&Z Commission recommendation. The motion was seconded by Commissioner Brooks for the opportunity to address counsel on the issue of a split vote. Deputy PA Wesley said the Board could continue the hearing to a date certain so Chairman Holton could review the record and audio and participate in the deliberation. Commissioner Brooks said it is not fair for the applicant to receive a split vote when there are supposed to be three Commissioners present. A vote was taken on the motion with Commissioner Van Beek voting in favor to deny the appeal, and Commissioner Brooks voting against the motion to deny. The vote is negated. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to June 17, 2024, at 10:00 a.m. The hearing concluded at 2:54 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

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

Resolution no. 24-113

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

Resolution no. 24-114

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

Resolution no. 24-115

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

Resolution no. 24-116

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

Note for the record: As properly noticed the Board met today at 9:30 a.m. for a legal staff update. A request was made to go into Executive Session as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 9:31 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Carl Ericson and Deputy P.A. Zach Wesley. Mr. Ericson left the meeting at 9:39 p.m. and DSD Director Sabrina Minshall and Assistant DSD Director Jay Gibbons joined at 9:39 a.m. The Executive Session concluded at 10:25 a.m. with no decision being called for in open session.

FY2025 BUDGET WORKSHOP FOR VALLEY REGIONAL TRANSIT

The Board met today at 10:36 a.m. for a FY2025 budget workshop for Valley Regional Transit. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, DSD Director Sabrina Minshall, COO Greg Rast, Elaine Clegg and Kate Dahl with VRT and Deputy Clerk Jenen Ross.

A PowerPoint presentation was present by Ms. Clegg and Ms. Dahl which reviewed the following items:

- FY2023 Services
 - Fixed Route
 - OnDemand
 - Specialized
- Route statistics including passenger miles, number of boardings, ridership percentage and changes to the route
- Access service statistics
- Beyond Access service statistics
- Lyft Late Night (LLN) service
- Treasure Valley Transit (TVT) service statistics
- Rides 2 Wellness (R2W) service statistics
- Breakdown of user and eligible services
- Breakdown of funding sources
- FY2025 budget request is \$72,997
- Assessment breakdown of allocation specific to Canyon County
- Advantages to providing support

At the request of the Board, information regarding the formula for the calculations will be emailed.

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

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

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of an appeal by Danny and Debra Cardoza of the P&Z Commission's decision to approve Case No. CU2022-0036, a request by AK Feeders for a confined animal feeding operation (CAFO) permit to expand the existing cattle feedlot operation, Case No. CU2022-0036-APL. The property is located in an "A" (Agricultural) zone at 21696 State Line Road in Wilder. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Laura Keys, DSD Principal Planner Debbie Root, DSD Planning Supervisor Carl Anderson, DSD Assistant Director Jay Gibbons, DSD Director Sabrina Minshall, and Deputy Clerk Monica Reeves. Those in favor of the appeal included: Debbie Cardoza, Danny Cardoza, Mike Lynn, Allie Schiebout, Christina Marston, Susie Lynn, Stephanie Gibbons, Leonard Larson, Joan Mathew, Rebecca Mathew, Derrick Marston, Janice Nowak, Anthony Isaak, Susan Isaak, Vernon B. Case, D. Hawe, Raleigh Hawe, Barbara Case, Dee Dee Alderson, Victoria Case, Vernon E. Case, Deidre Brown, Randall Brown, Nickie Shira, Nolan Shira. Those in opposition to the appeal included Todd Lakey, Matt Wilke, Matt Thompson, Thomas Haren, Alan Mills, Chalyse Edgar, David DeBenedetti, Christopher Rueth, Noel Gomez, Dan Weitz, Kaylee Stoddart, Ty Tolliver, Justin Bayes, Doug Mikelson, Courtney Rueth, Blaine Olmstead, Gabriel, and Zachary Anderson.

DSD Principal Planner Debbie Root gave the oral staff report. The appellants, Danny and Debra Cardoza, live adjacent to the subject property. The feedlot location will not be immediately adjacent to their house in accordance with the setbacks required through the CAFO ordinance. AK Feeders is requesting a conditional use permit (CUP) to provide for a 3,700-head confined animal feeding operation for beef cattle on approximately 80 acres of Parcel R37348010. The parcel is 163.23 acres, and the 80-acre site location is located at 21696 Stateline Road in Wilder. The property is zoned agricultural and a CAFO is an allowed use by CUP in an agricultural zone. On November 16, 2023, the P&Z Commission approved the CAFO permit subject to the conditions of approval as amended. On January 3, 2024, Danny and Debra Cardoza filed an appeal and are requesting the Board deny the permit. Their appeal indicates the following concerns: traffic impacts, impacts to wells, increased facility footprint, environmental impacts, reduced property values, violations of statutory and constitutional rights, violation of notice and hearing procedures, neighborhood meeting requirements, and violations of due process. In 2022, AK Feeders rebuilt and expanded the existing feedlot to accommodate the number of cattle that are permitted on the site, up to 999-head based on ordinance requirements and the amount of acreage owned by AK Feeders and the DeBenedetti Family. Therefore, the permit being sought is for a new CAFO

facility. Planner Root reviewed the regulatory jurisdiction; CAFO permit criteria; site history; and character of the surrounding area. The proposed application, as mitigated by the siting team and Idaho State Department of Agriculture (ISDA) requirements and by the proposed conditions of approval, meets the overall intent and purpose of the comprehensive plan. In response to neighborhood comments, the applicant reduced the original number of proposed animals from 6,000 to 3,700 and relocated the initial proposed facility to the current site location south of the Allen Drain. Staff received letters of opposition from the neighbors noting concerns about noise, dust, flies, odor, lighting, traffic and safety on multiple sharp curves on Stateline, Peckham and Red Top Roads, water contamination, nitrate pollution, shallow wells, a more intensive use of water at the facility, viewshed and changing character of the area, interference with wildlife including the migratory snow geese, and decrease in property values. Staff reviewed and incorporated many of the concerns and views in the findings for the P&Z Commission's consideration as well as the Board's consideration. Many of the concerns are woven into the fabric of living in a predominately agricultural area with intensive agricultural crop and livestock production. Staff has provided draft conditions of approval to provide for mitigation of many of the concerns as well as regulations that the CAFO operator is required to comply with. Planner Root was advised that during the process of document transmittal on April 7, 2024, some of the exhibits were not received. The appellants' attorney transmitted a link for staff to access the file; however, staff did not receive the appellants' presentation file nor the exhibits they marked as A through F. Following the staff report, Planner Root responded to questions from the Board.

Testimony in favor of the appeal/in opposition to the CAFO expansion was as follows:

Allie Schiebout, the attorney representing the appellants, asked to enter the missing exhibits into the record which includes her presentation as well as the nitrate reports which are one of the biggest components of their appeal. There was Board discussion regarding the request to enter the late exhibits. Director Minshall said this hearing was scheduled prior to the adoption of the new ordinance which says late exhibits cannot be accepted, but it is at the Board's discretion. If the Board chooses not to accept them there could be a verbal reading into the record of the information from the presentation and as long as in the findings you are not referring to something on the applicant's presentation then that would be an option if you do not want to enter it into the record. The other option is continue the hearing and keep the public comment period open to enter it at that point. The Board allowed Ms. Schiebout to read her presentation into the record which included the following nitrate information:

On February 10, 2021, tests were conducted at 26550 Upper Pleasant Ridge Road by Analytical Laboratories and the nitrate levels at that time were 4.7 milligrams per liter. On January 17, 2023, a test was conducted by Western Laboratories, Inc., at 31252 Peckham Road in Wilder and the nitrate level was 6.53. On December 12, 2023, a test was conducted by Analytical Laboratories, Inc., on the sample water discharge at Stateline Road and Peckham Road and the nitrate level was 9.4. On March 19, 2024, there was a certificate of analysis from the Idaho Department of Health and Welfare, and it was done on the private well on the Cardoza residence. The nitrate level was 13.3. A report was done on Stateline Road at the Allen Ditch on December 21, 2023, and that nitrate level was 10.7.

Planner Root noted that the analytical laboratory reports are in the staff report identified as Exhibits Y through EE and were provided by Ms. Cardoza. The Board had questions for staff.

Ms. Schiebout testified that the Cardozas are supportive of agricultural and have managed cattle and horse ranches for over 30 years, they are not however, supportive of large-scale agriculture that injures the environment, the residents, and the property surrounding it. She reviewed the FCO's dated December 21, 2023 where the P&Z Commission used the elements stated in County Code to outline their findings, unfortunately many of the findings were misplaced and disregarded evidence brought forward by their constituents and fellow residents. They showed the P&Z Commission that their rights have been violated and they are currently are and will be injured by the expansion of the feedlot. The conditions are not enough to address the concerns. She said the P&Z Commission acknowledges that the proposed use potential to impact water quality as evidenced by the high-risk score in the siting team report. There have been water analysis results read in to the record. The Idaho Depart. of Health and Welfare finds that high levels of nitrate in drinking water are often caused by groundwater contamination from animal waste runoff at dairies and feedlots. At the Cardoza home in August of 2019, the nitrate levels were 1.3, and in January of 2023, the nitrate levels were 6.53 before the feedlot was approved. In March of 2024, only 3 months after the feedlot was approved, the Cardozas' well tested at 13.3 milligrams per liter for nitrates. Even with setbacks and other conditions imposed on AK Feeders, the Cardozas' well has more than doubled in nitrates and is already higher than the safe levels permitted by the EPA and the Idaho Dept. of Health and Welfare. Testing was done in surrounding areas in December of 2023 and water discharge found on Stateline Road and Peckham Road tested at 9.4 for nitrates. The Allen Ditch tested at 10.47 milligrams per liter for nitrates. The P&Z Commission acknowledges that area residents are concerned about an increase in truck traffic to/from the proposed facility. There are several 90-degree or sharp turns on Peckham and Red Top Roads. They acknowledge this is an agricultural area that is expected to have agricultural traffic, including tractors, harvesting equipment, semitrucks and trailers as well as residential vehicles. The Cardozas' know this is agriculture, but introducing very large trucks and heavy traffic is unsafe. The P&Z did not find evidence supporting the claims of injury including loss of property value or enjoyment of their properties. It is displaced to expect property owners to show evidence of their specific properties' devaluation when the full expansion of the feedlot has not yet begun. Property values will decrease when there is noise, traffic, smell and high nitrates in the drinking water. The property was used to wean calves, it was never indicated to be a feedlot. Mr. Cardoza has COPD and asthma and has had to increase his dose due to the dry scraping. There is a Supreme Court case pending, Docket No. 514652024, which deals with some of the same issues we see here, and it has been in active litigation since 2021. The site committee found that the area is high risk. Ms. Schiebout said this feedlot is contrary to local and state law and the Board must reconsider the findings of the P&Z Commission and ensure it upholds the quality of life of its residents' right to freely use and enjoy their property.

Dee Dee Alderson testified that approving an expansion like this over a highly vulnerable groundwater a stone's throw away from the Snake River would be irresponsible. Industrial-scale agriculture and livestock operations in this area are going to have profound health impacts in the area. Last month groups in Iowa filed an emergency petition with the U.S. EPA to step in to protect

the public from nitrate contaminated drinking water. Canyon County should not become the next community to need emergency action just so the residents can drink their own water. The water table is too high which can be seen by the wetlands next to the Cardozas' property. The increase of calf cow numbers will contaminate the wells and the property in question is already deemed high risk.

Deidre Brown has lived in the Treasure Valley her entire life and in 2001 she moved to the area and raised her family there. She is pro-agriculture, but she is not pro-CAFO. She did not move next to a feedlot. The feedlot they are referring to did not exist in the 20 years she has lived in the area. They have fed some cows and they have installed fences in the last couple of years and that's probably why the Cardozas have seen an increased amount of nitrates. In the winter there are large puddles of water due to the amount of moisture out there. She has no faith in how this cattle operation is going to be run; there is no test water site or water testing to confirm whether they will impact the neighbors. She is frustrated by the underhanded things that have gone on and as a taxpayer and citizen she expects the government to enforce the regulations, but she has not seen that occurring.

Rebecca Mathew testified she purchased her property in the area for the views of the Owyhees, the fresh air, and the clean air and the people in the community. Consider the impact of 3,700-head of cattle on 80 acres. A cow will produce approximately 60 pounds of manure of day. 3,700 cows will produce 222,000 pounds of manure in a day. That is 81 million pounds a year. There are great concerns as to the location for the removal of the manure. This feedlot will result in the reduction of air quality and reduce property values and water quality. The Allen Drain runs across 80 acres of the feedlot and it empties into the Snake River on the Oregon side. It is a great concern that the air and water quality regulations are not and will not be enforced. The Cardozas spent their life savings to purchase their property which is located on the boundary of AK Feeders and where the feedlot will exist and at the time of their land purchase, AK Feeders grazed their cattle on the land, no feedlot existed. Moving forward with the feedlot will greatly reduce the quality of life as well as the value of their home and property and all the properties surrounding this area. Ms. Mathew said she would not have purchased her property 29 years ago had the feedlot existed.

Christina Marston testified that her property has been in the Marston Family for over 100 years and she and her husband have owned it since 2005. She was raised by a farm family that operated feedlot and a cow calf operation, and row crops in Iowa. She is pro-agriculture. She has lived across the road from AK Feeders for nearly 20 years and in the last year she has seen changes that have greatly affected her day-to-day life with the addition of the feedlot pens the flies have greatly increased to point her house needs scrubbed of fly waste. The smells have become so bad they are unable to open windows or enjoy their yard, and when it rains it takes your breath away. She is concerned about the loss of property value and quality of life, and the health risks. She runs a business from her property where the equipment gives off so much heat she has to open the garage doors but because of the flies and odor she is unable to do that. Flies poop on the clothes she stores in her shed, ruining them. This did not happen before last summer, and she is concerned if the CAFO goes across the road her business will fail and she will be unable to operate in the building she built for it. Red Top Road is dangerous and there are abnormally dangerous

intersections in the area. Stateline Road is crumbling into a drain ditch and it is so narrow a pickup and a semi cannot meet each other. The right-to-farm act does not give a farmer the right to make life-altering changes to their neighbors. AK Feeders has never been listed as a feedlot on previous paperwork.

Derrick Marston agrees with his wife's testimony and believes they will be injured with regards to property values with the possible contamination of their wells, and the enjoyment of property. The December 21, 2023, lab report says the Allen Ditch and Stateline Road area had a nitrate level of 10.7. The E. coli level was at 260 mpn per 100 milliliters which is very high to be draining into the Snake River. It was indicated the Allen Drain would be protected with berms but the water discharge at Stateline Road is obviously going under the road and draining that property which is likely where the wetlands indication is coming from. It's E.coli level was 74 which shows that's surface water that's getting into the drain and making it to the river.

Nicki Shira testified she agrees with the testimony given so far and said the greatest concern other than the tremendous impact it could have on the quality of life, is the water quality. The CAFO presents health concerns regarding groundwater contamination, and it poses a high risk for health and/or for contaminating ground or surface water.

Debbie Cardoza testified that her property shares a fence line with AK Feeders and the additional 3700-head of cattle should not be allowed. The Cardozas purchased their property in 2019 and when her well was tested it had 1.3 nitrate level milligrams per liter. Last year the nitrate level was 6.4 and in March of 2024 it was at 13.3. It's a high risk area because the soil is sandy loam right next to the Snake River. The Allen Drain is entirely on the DeBenedetti property or properties he leases for his cattle, and it starts underground and goes across Peckham Road and then behind her property, through where the feedlot area is going to be adjacent to, and into the Snake River. The cattle are constantly in the wetland behind her property. The Assessor has devalued properties that are adjacent to the feedlot on Peckham Road and if she tried to sell now it would be difficult. 3,700-head is not a family farm, or a small farm in a rural residential area and it is going to be difficult for the Cardozas to be next door to the operation. They are going to have three lagoons that will be open constantly and it will bring a lot more issues to the area. Mrs. Cardoza also spoke of the dangerous road concerns with cattle trucks.

Commissioner Van Beek had questions for staff and Debbie Cardoza regarding the Cardoza's property appraisal.

Danny Cardoza agrees with his wife's testimony. There is a 2-acre wetland behind his house that AK Feeders have filled with water, and they've had cattle and ducks in it. It's only 30 feet from the fence line and 50 feet from his house.

The Board took a break from 3:26 p.m. to 3:36 p.m.

Testimony in opposition to the appeal/in support of the CAFO expansion was follows:

Matt Wilke offered testimony on behalf of AK Feeders. The proposed site consists of 79.6 acres and they will have a 3,700-cow capacity with an average weight of 750 lbs. The area is predominately agriculture, and they feel the operation will benefit the local ag community by providing jobs onsite and offsite such as laborers, mechanics, truck drivers, veterinarians, equipment sales, and farmers. It will also create a local market for cattle feed and supplies. Studies have shown feedlots and dairies have a positive impact on crop and land values, and that for every dollar generated there is a multiplier effect; for example, beef has the largest output multiplier of \$2.05 meaning every dollar generated for exported beef and additional indirect output of \$1.05 from other industries, local labor, and locally produced hay comes in. After the beef multiplier, the other industries are considerably lower such as medical/health, entertainment, communications, fire personnel services, in nine other sectors between 1 and 1.2, including agriculture and hay. Indicating that most of those entities purchase most of their supplies, labor, and equipment from outside the study areas. Cattle feeding operations are a vital part of the sustainability of local farm producers who produce forage crops such as hay and corn. Manure produced is an excellent fertilizer and is a valuable resource. Manure produced onsite will be utilized on neighboring fields, third-party export. The organic material applied will improve soil structure, aeration, soil moisture, holding capacity and water infiltration. All manure will be contained and stacked in pens and removed from the pens to a third-party export. There is no need for a site to stack compost within the boundaries. Dry manure typically releases its nitrogen over a 5-year or longer period once it's applied to the soil. This slow release is much safer than chemical fertilizers and typically doesn't leach into aquifers and is the fertilizer of choice, especially in sandy soils where chemical fertilizers can leach the worst. It typically only releases 35% of its available nitrogen into the soil during its first year of application and for these reasons they believe groundwater and surface water pollution is an extremely low risk. The site will have three stormwater retention ponds. No waste water will leave the site. No wastewater currently leaves the site. Design and construction of the lagoons will be in compliance and will meet and exceed engineering requested by the ISDA. They have satisfied all setback requirements. They are west of the nitrate priority area, and they are downgradient of the nitrate priority area so it's interesting to hear the accusations of the operation increasing nitrates in the area when there are much higher nitrates to the east, and he said it could even be coming from the Wilder sewer plant which discharges into the drains. There is no proof the cattle are contaminating the water. This property is not in the floodplain. The Idaho Department of Water Resources has approved the stock water permit for 3,700 head of cattle, and they propose a second well that will help with redundancy. No cisterns will be required due to the ample water supply. The nutrient management plan was approved on March 15, 2023. The Golden Gate Highway District and the Oregon Department of Transportation have reviewed the plans and have no requirement for a traffic impact study due to the traffic generated being below the rule thresholds. They will require a paved approach onto Stateline Road upon approval. Traffic is only anticipated to increase from 13 to 24 average annual daily trips; that is 11 extra trips per day. They received a risk score of 40 from the site evaluation, and that is only 3 points above the cutoff for a moderate score. This score is the starting point to decided how to mitigate risks. The site was evaluated on September 9, 2023, management and mitigation are not factored into this determination; it is a physical characterization of the site only. Many improvements have been engineered into the plan to mitigate the risks. The site has had waste inspections since 2006. Prior to the increase in animals, improvement will take place to

prevent waste water from entering surface water bodies or entering groundwater. The risk factors can be easily mitigated. The waste management plan outlines how the applicant will control waste and nuisances, pen management, drainage, and regular manure removal. There will be stormwater pond management if necessary. Pests will be controlled by preventing food sources and habitat. For flies, regular pen scraping, baits, and chemical treatments work very well. The site has been used for cattle since 1907. They received over 155 letters of support from neighbors, businesses, area farmers and ranchers. The applicant will comply with the conditions of approval. Regarding home values, Mr. Wilke said the Cardoza property is at a 125% increase in assessed value in the last 5 years. They bought it for \$270,000 in 2019 and last year the assessed value was \$420,000. Following his testimony, Mr. Wilke responded to questions from the Board.

Todd Lakey testified he is representing AK Feeders and he thanked Planner Deb Root for her excellent analysis and recommendation of approval in her staff report. This property and all the property in the area is zoned agriculture. The comprehensive plan designates the property as agriculture and it states the land use designation is the base designation throughout the County and contains areas of productive irrigated croplands, grazing lands, feedlots, dairies, seed production and ground of lessor agricultural value. The agricultural zone and designation are where agricultural uses like feedlots exist and where they are supposed to be located. This property is not near any city, impact area, or any platted subdivision. There are a few residences in the area, but this is an agricultural area, not a residential area. Residences may require some mitigation through conditions of approval, but those residential uses should not be allowed to interfere, stop, or exclude agricultural uses. The siting team noted that the risks associated with the physical site are easily mitigated through the operational best management practices, compliance with applicable regulations, and the conditions of approval that are included on this application. This property has been a feedlot based on Mr. Bishop's letter whose family bought the property in the 1950's and it has been raising up to 1,500 head of cattle. There are also similar uses and large-scale agriculture in this area. This use does not change the agricultural character of the area and as conditioned will not negatively impact that agricultural character. Traffic will only increase by 11 additional daily trips. There are numerous goals and policies in the comprehensive plan that support the application, and there are 155 letters of support that show the multi-layered impact of this proposal.

Matt Thompson testified he is a professional engineer who works with agricultural professionals, and he was hired by AK Feeders to help with their permit application and in designing the site to meet county and state requirements. They developed the waste management plan, nutrient management plan, and submitted an engineering response to the appeal. The siting team's assessment is a physical assessment of the site, it doesn't take any consideration of the design or proposed management of the site, it's simply an evaluation to highlight the characteristics of the site and draw attention to the things we should be paying attention to. The best management practices can address the issues identified. This feedlot is proposing to put the grading on the site up front and they propose to establish a 2% slope inside those pens to encourage the drainage out of the pens to prevent nitrogen from leaching into the groundwater. The drainage and pen maintenance program will prevent bugs and flies from laying eggs and encourage the manure to

dry out. They propose a harrow that doesn't dig into the soil so they can maintain the integrity of the soil. Following his testimony, Mr. Thompson responded to questions from the Board.

Thomas Haren is the owner of Ag Professionals and they put together some of the application materials for this case. They are advocates of animal agriculture, CAFO's, and help develop dairies around the country and he believes this project has been vetted very well. They are going from a grandfathered animal feeding operation to a concentrated animal feeding operation. He said *concentrated* gets confused with *confined*. The regulatory one is concentrated animal feeding operations which under state regulations and the Clean Water Act is a 1,000-head or above which is the highest standard. There has been a lot of work to improve the operation, the function, the nuisance management. This facility will have the latest and greatest requirements from an engineering and EPA regulatory standpoint but also the 25 conditions of approval that are proposed to be placed on this facility and all of that makes for a better project and better outcome for the community because if this does not prevail you will have an older facility with less stringent requirements that would-even with the expansion of the new facility-be better in operation and nuisance management environmental controls than even the existing facility. Following his testimony, Mr. Haren responded to questions from the Board.

Alan Mills testified that he served on the committee that developed the CAFO ordinance and the intent was not to prohibit CAFO's but to reasonably place, site, and regulate them correctly. Regarding the effects of nitrates and illnesses, he previously looked into it could not find one case related to nitrate illnesses in hospital records. The information could be different today, and perhaps it should be checked into whether there are problems with nitrate-related illnesses.

Chalyse Edgar lives adjacent to the subject property and testified that she and David DeBenedetti are the current owners and operators of AK Feeders, and she presented their combined thoughts. The DeBenedetti Family has had a footprint in Idaho since 1943 starting with Idaho Meat Packers in Caldwell, and Idaho Meat and Provision in Boise. Their children have graduated from Parma, Vallivue, Boise State University, and Colorado State University and have owned and operated their own businesses, and two are managing the current operation of AK Feeders. They operate ranches in Idaho and Oregon and are seeking to expand the ranch that already has an existing feedlot that has been fully regulated and inspected on an annual basis by the ISDA. When they originally proposed to have an expansion of 6,000 head they had a neighborhood meeting and recognized the neighbors' concerns and they reduce the request to 3,700 animals after working with consultants and looking at the regulations and specifications. All feed is purchased locally, and goods, services, and maintenance are fulfilled by local suppliers. They have owned properties locally, as well as in Oregon and California. Ms. Edgar said her property has not suffered from property devaluation. As to why the Case Family placed concrete blocks in front of their fence on a corner, she said that has nothing to do with AK Feeders existing operation or future operations. There are a lot of issues, but it cannot be blamed or said to be increased by something AK Feeders is doing or proposing.

Dan Weitz testified the applicants have spent a lot of money hiring people to make sure this operation is going to work, and the ISDA, DEQ, EPA, and engineers are making sure it is compliant. As a large landowner Mr. Weitz said they appreciate the County's efforts to follow the

comprehensive plan and enforce the right-to-farm law. This is a small operation in the right place. He said people move to rural areas to get their piece of paradise and bring their beliefs of what land use laws should be. Agriculture has been displaced in the areas of impact and the County is holding the line on subdivisions outside of the area of impact and he appreciates that, but he takes exception to people moving to the area to try to control agriculture to drive it out. Regarding nitrates, it is generally a cultural practice in a local area on a domestic well that is shallow versus a deeper irrigation well.

Rebuttal testimony was offered by Allie Schiebout who said what needs to be considered is the substantial rights of the surrounding citizens and their properties and this is the exact reason there is litigation in front of the Idaho Supreme Court. Mrs. Cardoza informed her the new plan on slide 3 of the presentation was never brought up at a neighborhood meeting and she has not seen proof of the meeting, so she doesn't believe the noticing requirements have been met. The dates/times when traffic will occur are substantial and suggest the heaviest traffic will be in the morning from 7:00 to 9:00 a.m. and in the evening from 3:00 to 5:00 p.m., during commute times. The livestock facility reports were discussed and when requested from the ISDA they were told that from 2006-2023, seven of the reports are missing and the ones they do have indicate it was not a feedlot. The Assessor has shown a property value increase in the last five years, but that's not an indication that property values will not decline. The 2019 appraisal was brought in to show there was no indication of a feedlot in 2019 when the Cardozas' property was appraised. Mrs. Cardoza informed her that that P&Z Commission had told AK Feeders to move the pens to account for a 50-foot setback, but that has not occurred and is another example of a condition that is not being followed. When it comes to water and nitrates, it's not whether we are fearful of it, it's whether it could occur and if it did is that a violation of the Cardozas rights, and Ms. Schiebout thinks it is. There is a difference between getting approval for a feedlot and examining and determining the property rights granted by the US, Idaho, and Canyon County laws. She asked the Board to remember its mission statement which is in part to promote values that ensure quality of life for present and future generations of Canyon County residents.

Commissioner Holton asked staff to describe the neighborhood meeting process. Planner Root said the neighborhood meeting concerns came up from multiple citizens indicating the site plan presented at the neighborhood meeting was not the site plan being presented at the hearings. The County's legal counsel discussed that at the underlying hearing and indicated this is a typical issue with neighborhood meetings which are conducted prior to application and for the benefit of the applicant and property owners to show what they are proposing and what the concerns are and frequently those site plans are modified either after discussions with staff or as a result of the feedback from neighbors. In this case, the plan was modified and it reduced the number of cattle proposed and it moved the site facility from north of the drain and took one property out of the request for approval which would have allowed for that CAFO facility to be located closer to many of these property owners and so if the site plan or application had changed, such as if it had been increased or the acreage had been increased staff would have required that the applicant reconduct the neighborhood meeting to show that increase. Because it was a decrease and a relocation on properties that were part of the neighborhood meeting, there was not a need to reconduct the meeting because it was in response to feedback. The neighborhood meeting was

conducted, people were aware, the application was posted online, and the additional documents were posted online when the site plan changed so legal counsel and staff believe the meeting requirements have been met. Ms. Root further noted that there were no additional exhibits, and the Board did not accept the late exhibits that were proposed today. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Commissioner Brooks said it would be unfair if the Board were to try to hurry through deliberations considering the staff report is 1,000 pages. Commissioner Holton agreed and said it's almost 5:00 p.m. at which time the courthouse will close so he thinks it's best to continue the hearing to another date. He then made a motion to continue the hearing to Monday, June 17, 2024, at 1:30 p.m. for Board deliberation. Public testimony has been closed. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 4:42 p.m. An audio recording is on file in the Commissioners' Office.

MAY 2024 TERM

CALDWELL, IDAHO MAY 31, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

ALCOHOLIC BEVERAGE LICENSE

The Board approved the following alcoholic beverage licenses for renewal:

- Taqueria Mexico Chiquito LLC dba Taqueria Mexico Chiquito

Resolution no. 24-118

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

Resolution no. 24-119

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

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

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:36 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas, Facilities Director Rick Britton, Landfill Director David Loper (left at 9:38 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution increasing the credit card pre-paid expense account for the Pickles Butte Sanitary Landfill: Director Loper explained this account is used to pay credit card processing fees. Once the credit card bank statement is reconciled each month the account is replenished with fees paid by the user. This resolution will increase the account by \$5000, to \$20,000. Ms. Keys stated that legal has no issue with the resolution. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution (resolution no. 24-117). Director Loper indicated he will be taking the resolution directly to Auditing Supervisor Sarah Winslow for a check to be cut today in order to avoid the account being overdrawn.

Consider Addendum No. 1 to the Solicitation of Bids for the Fleet Shop HVAC Project: Director Britton explained the pre-bid conference was earlier this week and this addendum addresses questions that have been submitted since that time. Additionally, it addresses some date changes for the project. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign Addendum No. 1 to the Solicitation of Bids for the Fleet Shop HVAC Project.

The meeting concluded at 9:42 a.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION TO DISCUSS RECORDS EXEMPT FROM PUBLIC DISCLOSURE PURSUANT TO IDAHO CODE, SECTION 74-206(1)(D)

Commissioner Van Beek made a motion to go into Executive Session at 3:04 p.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records exempt from public disclosure. 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, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Cpt. Harold Patchett and COO Greg Rast. Rick Hogaboam and Sarah Winslow left the meeting at 4:20 p.m. The Executive Session concluded at 4:41 p.m. with no decision being called for in open session.

CONSIDER RESOLUTION APPROVING A NEW ALCOHOLIC BEVERAGE LICENSE FOR BFC 12TH AVENUE, LLC DBA BOISE FRY COMPANY

The Board met today at 4:41 p.m. to consider a resolution approving a new alcoholic beverage license for BFC 12th Avenue, LLC dba Boise Fry Company. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast and Deputy Clerk Jenen Ross. Commissioner Brooks said he has reviewed the application and is in support, he then made a motion to sign the resolution. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-120).

Commissioner Van Beek made a motion to adjourn the meeting. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 4:42 p.m. and an audio recording 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 MAY 2024 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 10th day of October, 2024.


CANYON COUNTY BOARD OF COMMISSIONERS



Commissioner Leslie Van Beek



Commissioner Brad Holton



Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: J Ross, Deputy Clerk

JUNE 2024 TERM
CALDWELL, IDAHO JUNE 3, 2024

Commissioners Holton and Brooks attending the Idaho Association of Clerks and Commissioners Annual Conference in Idaho Falls.

JUNE 2024 TERM
CALDWELL, IDAHO JUNE 4, 2024

Commissioners Holton and Brooks attending the Idaho Association of Clerks and Commissioners Annual Conference in Idaho Falls.

JUNE 2024 TERM
CALDWELL, IDAHO JUNE 5, 2024

Commissioners Holton and Brooks attending the Idaho Association of Clerks and Commissioners Annual Conference in Idaho Falls.

APPROVED CLAIMS

- The Board has approved claims 606476 to 606493 in the amount of \$23,011.57
- The Board has approved claims 606427 to 606475 in the amount of \$242,342.88

JUNE 2024 TERM
CALDWELL, IDAHO JUNE 6, 2024

Commissioners Holton and Brooks attending the Idaho Association of Clerks and Commissioners Annual Conference in Idaho Falls.

APPROVED CLAIMS

- The Board has approved claims 606202 to 606242 in the amount of \$65,669.96
- The Board has approved claims 606243 to 606253 in the amount of \$6,841.00
- The Board has approved claims 606298 to 606350 in the amount of \$233,710.12
- The Board has approved claims 606351 to 606390 in the amount of \$43,596.73

JUNE 2024 TERM

CALDWELL, IDAHO JUNE 7, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Bryan Zechmann, Deputy Sheriff, add PTO pay
- Julio Ortega, Computer network tech., add on-call pay
- Kyle Wilmot, Controller, new hire
- Hailey Barr, Deputy Prosecuting Attorney I – Criminal, new hire

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- Palace Event Center to be used 6/22/24
- Danelion Brewery to be used 6/15/24
- County Line Wine Co. to be used 6/15/24, 6/29/24 and 7/27/24
- Boise Bubbly & Taps to be used 6/15/24
- The Undiscovered Barrel to be used 6/15/24

FILE IN MINUTES

- Treasurer's monthly report for April 2024

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 8:30 a.m. to consider action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Facilities Director Rick Britton and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Addendum No. 2 to the Solicitation of Bids for the Fleet Shop HVAC Project: This addendum addresses additional questions that have been received as well as revised project dates. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign addendum no. 2 to the solicitation of bids for the Fleet Shop HVAC project.

Consider a resolution granting a new alcoholic beverage license to SuperHost Hospitality Idaho LLC dba EverHome Suites by Choice-Nampa: Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to SuperHost Hospitality Idaho LLC dba EverHome Suites by Choice-Nampa (resolution no. 24-122).

The meeting concluded at 8:32 a.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOPS

The Board met today for FY2025 budget workshops for the Clerk's Office and the Coroner's Office. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Director of Indigent Services Yvonne Baker (left at 9:40 a.m.), Director of Court Operations Jess Urresti (left at 9:40 a.m.), Elections Supervisor Haley Hicks (left at 9:40 a.m.), Reordering Supervisor Emily Howell (left at 9:40 a.m.), Court Training and Development Manager Raena Bull (left at 9:40 a.m.), Sr. System Analyst Steve Onofrei, Director of Constituent Services Aaron Williams, Communications Specialist Chad Thompson, Additional Clerk's Office staff (left at 9:40 a.m.), Director of Facilities Rick Britton, COO Greg Rast, JoDee Arnold, Assessor Brian Stender (left at 9:40 a.m.), Coroner Jennifer Crawford (arrived at 9:17 a.m.) and Deputy Clerk Jenen Ross.

Clerk's Office

Court Operations

Mr. Urresti reviewed a PowerPoint which covered the following topics:

- Roles and responsibilities
- Court operation functions and statistics
- Staffing/org chart
- Language access
- There are no new positions or step in grade adjustments being requested
- No 'C' budget or Capital Improvements requested
- 'B' budget has a reduction of \$4731
- FY2025 goals
- FY2024 accomplishments

The Board is supportive of accepting this initial proposal.

In response to a question from Commissioner Van Beek, Clerk Hogaboam said there really needs to be a workshop dedicated to reviewing revenues.

Elections Department

Ms. Hicks reviewed a document which covered the following topics:

- FY2024 accomplishments
- Capital requests:
 - Additional print-on-demand units
 - Larger ballot printer with increased capacity
 - Additional scanners
- Budget reduction of just over \$195,000

Discussion ensued regarding compensation placeholders within the budget during these preliminary budget workshops. The Clerk feels this should be a more in-depth discussion at a later time.

Recorder's Department

Ms. Howell provided a review of the roles and responsibilities of her department.

- Revenue is decreasing due to the interest rates and the housing market
- Review of FY2024 accomplishments
- Goals and objectives for FY2025
- As part of the 'C' budget there is a request for a new ScanPro machine to assist in the digitizing of historical records.
- No new positions are being requested for FY2025, however, there is a step-grade adjustment that is being requested for the Supervisor position.
- 'B' budget
 - IT recommendation to replace one computer
 - Office supplies has been increased
- Approximate \$8000 total budget increase as compared to FY2024 budget

Auditor's Department

Ms. Winslow provided a review of the responsibilities of her department.

- Budget is similar to FY2024 with a few exceptions where adjustments were made for inflation such as software for payroll and financial software.
- Largest change to the budget is to move County Assistance (Indigent Services) out of the Audit budget into its own budget.
- There are two equity adjustments - Sr. Audit Specialist (payroll) and Sr. System Analyst.

County Assistance (Previously known as Indigent Services)

Ms. Baker spoke about how they have combined Indigent Services and Board of Community Guardians and "re-branded" as County Assistance and provided a review of the responsibilities of her department.

- This is a revenue generating department; payments are still being received on previously approved medical indigency cases. When the initial narrative was completed, revenues were up 23%, however, it can be very unpredictable
- Burial requests/applications and approvals are up 33% so there is a request to increase that fund from \$20,000 to \$26,400
- Other requests include the IT recommendation for a new laptop, office furniture and the purchase of software for managing the expenses that are paid on behalf of BOCG clients.

The Board took a brief recess from 9:40 a.m. to 9:47 a.m.

Coroner's Office

Coroner Crawford reviewed the following with the Board:

- Requesting 2 new positions and a salary increase for one employee
 - Potential restructure to staffing the office which should reduce the need for take home vehicles/fuel costs.
- Autopsy line item has been increased by \$1600
- Association dues increased by \$100
- Uniforms increased to account for the 2 new positions, if granted, as well as maintain current staff's uniform needs
- Miscellaneous supplies increased to \$6552 for a transport cot
- Increase to computer equipment based on the recommendation from IT
- \$575 included in small office equipment for the Avaya phone system and two monitors (assuming award of new positions)
- \$8400 added to mobile radios (assuming award of new positions)

In response to a question from Commissioner Holton, Coroner Crawford is not aware of her facility having a back-up generator but, in the past, it hasn't been an issue. Mr. Rast indicated he would check into that and get back to the Board.

The meeting concluded at 10:05 a.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (1) (B) AND (D) REGARDING PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 11:32 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. 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, Interim TCA Benita Miller and COO Greg Rast. The Executive Session concluded at 11:51 a.m. with no decision being called for in open session. Commissioner Van Beek motioned to adjourn the meeting.

APPROVED CLAIMS

- The Board has approved claims 606254 to 606297 in the amount of \$131,269.70
- The Board has approved the May Elections claim in the amount of \$43,865.00
- The Board has approved claims 606391 to 606426 in the amount of \$86,319.52

FY2025 BUDGET WORKSHOPS

The Board met today at 8:31 a.m. for FY2025 budget workshops. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Director of Constituent Services Aaron Williams, Communications Specialist Chad Thompson, Cpt. Ray Talbot, Lt. Martin Flores, COO Greg Rast, Cpt. Harold Patchett (joined at 8:55 a.m.), Chief Deputy Sheriff Doug Hart (joined at 9:30 a.m.), CCSO Financial Manager David Ivers (joined at 9:30 a.m.), Cpt. Chuck Gentry (joined at 10:25 a.m.), Steve Burton and Deputy Clerk Jenen Ross.

Commissioners

Mr. Rast said that the Board met on May 22nd to discuss their budget and since that time there have been no changes. A summary was provided as follows:

- Requested FY25 budget decreased by \$54,000 from FY24; decrease is due to shift of the Communications Specialist PCN from the Commissioners' Office to Constituent Services budget.
- A hospitality line has been added

The Board has accepted this initial budget proposal.

Constituent Services

Mr. Williams reviewed a PowerPoint presentation which covered the following items:

- Roles and responsibilities
- Goals
- A Budget
 - Shift Communications Specialist PCN from the BOCC budget to Constituent Services budget
 - Proposed pay grade adjustment for the Communications Specialist; moving from grade13, range 3 to grade 14, range 2 which would be an \$8388 increase.
 - Additional Policy Analyst position
- B Budget
 - Would like to hire a professional consultant to assist in developing a CIP - \$85,000
 - Software to manage public information requests – \$23,186.25 start-up and \$10,490 annually

- Push notification software - \$18,400 start-up and \$12,000 annually

Discussion ensued regarding the benefits of having FOIA software in place and the role a Policy Analyst would play county-wide.

In response to a question from Clerk Hogaboam, Mr. Williams spoke about the \$20,000 included in the part-time line item which he feels could be used to possibly hire college interns.

The Board has accepted this initial budget proposal.

The Board recessed from 9:23 a.m. to 9:30 a.m.

Sheriff's Office

At the request of Commissioner Holton, Chief Hart spoke to some of the highlights in their budget as follows:

Field Services:

- Adjustment in anticipated revenues in comparison to prior years; FY2025 is projected to be \$3,033,137 vs. FY2024 at \$2,482,135
- Project 1 of the strategic plan - request for four (4) additional PCNs for Patrol
- Requesting one (1) new position at Driver's License (document showing the analysis and necessity of this position is on file with this day's minutes)
- Budget is approximately \$1.1M over last year; computer equipment (project 40) is somewhat expensive this year but after this year is should be caught up and will continue on the 5-year rotation as targeted.

Security Services:

- \$1.3 for new and reclassified positions
- \$1.9M for the inmate housing lease which is the contractual buy-out of Pod 6

Dispatch:

- There has been a reduction to expenses as compared to prior years

Emergency Communications:

- Decrease of approximately \$71,000 in expenses as compared to prior years

CCNU:

- This budget was slightly decreased in comparison to prior years

Emergency Management/Communication:

- Slight increase to budget mainly due to project no. 37 in the 3-year strategic plan which is to develop a cache of radios in case of emergency
- There will be a request coming forward to change the second PCN in this division from a Sr. Administrative Specialist to a Sr. Radio Communications Engineer to better suit the need

Waterways/Boating Safety:

- Hope to have the boat that was ordered in 2022 delivered in August of this year; there have been supply chain issues causing a backlog of orders.
- There is a slight increase to boat repair supplies and some miscellaneous supplies
- The Waterways portion of the budget is identical to the FY24 budget

The Board is supportive of accepting this initial budget request.

Chief Hart said that later this summer he will be requesting time in front of the Board to discuss some additional projects such as newer technology body cameras, finish out the weapons platform project, the need for new fingerprint analysis software among several others.

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

PUBLIC HEARING: MIDDLETON 187, LLC AND TBC LAND HOLDING, LLC ARE REQUESTING A CONDITIONAL REZONE OF APPROXIMATELY 217 ACRES FROM AN "A" (AGRICULTURAL) ZONE TO "CR-R1" (SINGLE FAMILY RESIDENTIAL) ZONE, AND A PRELIMINARY PLAT, FOR FARMINGTON HILLS SUBDIVISION, CASE NO. RZ2021-0056(CR) & SD2021-0059

The Board met today 1:44 p.m. to conduct a public hearing in the matter of a request by Middleton 187, LLC and TBC Land Holding, LLC, for a Conditional Rezone of approximately 217 acres from an "A" (Agricultural) zone to "CR-R1" (Single Family Residential) zone to be provided with municipal sewer and water subject to a pre-annexation agreement with the City of Middleton and subject to a development agreement with Canyon County. Also requested is approval of a preliminary plat, phasing plan, landscape plan, irrigation plan, grading and drainage plan, and a hillside development plan for Farmington Hills Subdivision. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Planning Supervisor Carl Anderson, DSD Planner Deb Root, DSD Hearing Specialist Amber Lewter, and Deputy Clerk Monica Reeves. Those in favor were: Todd Campbell, Hethe Clark, Dean Waite, Zane Cradic, and Scott Blaser. Those in opposition were: Brad Wellman, Denise Rhodes, Jon Rhodes, Greg Baker, Lisa Baker, Ted Todd, Robert Ubry, Randy Hetteema, William Selby, Tom Moore, Randy Waite, Rose Vargason, Donna Goelz, Vera Waite, Greg Jones, Kim Takagi, Steve Palange, Ron Saunders, Eric Nielson, Cheryl Palange, Steven Portnoff, Sam Layton, Rock Didericksen, Wanda Layton, James Griggs, Bill Stephenson, Martine Stephenson, Sharon Griggs, Ed Carson, Steve Hatchett, Steven Miller, Amie Strongone, Antonio Conti, Cindy Conti, Kim Carson, Jackie Grayson, Bart Grayson, Gail "Ike" Ikerd, Frederick Moxley, Ken Harris, Patty Nelson, Jamie Sharpe, Daniel Richards, Robin

Conrad, Shawn Adamson, Scott Krahn, Mikell Galloway, Jack Garrett, Michelle Krahn, Carl Nadeau, Donald Bates, Robert James, Tamara Sloviaczek, Cindy James, Joseph Strongone, Julie Thomas, Samuel Thomas, Patricia Crawford, Allen Colson, Lyle Zufelt, Heather Peterson, Kathy Ikerd, Bruce Bane, Rebecca Press, Mark Press, Amelia Nadeau, Kathy Hendricks, Joe Sweeney, Paula Gillespie, Robert Hendricks, Marilyn Giacalone, Rory Hendricks, David Syvok, Jolie Gibbs, Jeremiah Hansen, Ashley Hansen, Rick Francis, Patty Cluff, Steve Cluff, Mike Morcom, RaNea Rich, and Lane Rich.

Prior to the start of the hearing, Commissioner Holton addressed the crowd regarding hearing procedures and guidelines. At 1:44 the hearing was opened.

Principal Planner Debbie Root gave the oral staff. The proposed development contains 492 total lots; 421 residential lots with an average lot size of 12,804 square feet; and 71 common lots subject to a pre-annexation agreement with the City of Middleton. The four subject parcels are located between Duff Lane and Lansing Lane, north of Foothill Road, and are located within the Middleton Area of City Impact. The P&Z Commission forwarded both cases with a recommendation of denial. The 2020 comprehensive plan designates the area as residential, and the City of Middleton's Comprehensive Plan Future Land Use Map also designates it as residential. The designation provides for rural transition areas to create a boundary between agricultural and urban areas. The area has been trending toward residential development for many years, the topography of the area is rolling hillsides. The property is currently in agricultural production and is surrounded by residential development on the north, east, and west sides with a few undeveloped parcels as well. The 12 platted developments adjacent to or in the immediate vicinity north of Foothill Road have average lot size of 1.6 acres and lots ranging in size from .7 to 10 acres. Five recently platted developments immediately adjacent to the property have an average lot size of 1.3 acres and are zoned R-1 single-family residential. The more recent developments have been approved with individual wells and septic. The Middleton City limits are located at Foothill Road approximately ¼ mile south of the property boundary. Property owner Bart Grayson is concerned about his property and the future plans of Meadow Park Blvd., and the access on his property. Within ¼ mile there are 16 platted subdivisions with 250 lots and three subdivisions in platting for an additional 34 lots; within ½ mile there are 33 platted subdivisions with 558 lots and three subdivisions in platting for an additional 216 lots; within one mile there are 65 platted subdivisions with 1,378 lots with nine subdivisions in platting for an additional 777 lots. The proposal is to have municipal water and municipal sewer to serve the lots within the development. The Canyon County Zoning Ordinance provides for in the R-1 zone, the reduction of lot size to 12,000 square feet if the lots are provided with either water or sewer. The nitrate priority area is 1,020 feet to the north. DEQ has concerns about nitrates in this area due to the explosion of growth in the area with individual septic. The P&Z Commission found the proposed use is not consistent with the surrounding land uses; the proposed use will impact adjacent agricultural uses; and that the density does not reflect the character of the area that is primarily agricultural, and that the land should remain in ag production. Staff found the character of the area is trending to residential, that it is not agricultural in nature even though there are still agricultural properties in ag production. The developer has signed a pre-annexation agreement with the City of Middleton for municipal sewer and water to be provided by the city. There is a condition that within Phase 3-4 the developer will bring online a new municipal well to serve the development and for the city's

use. Black Canyon Irrigation District has given preliminary approval. Williams Northwest Gas Pipeline traverses the property and they provided a letter after the P&Z Commission hearing stating they must review the construction drawings prior to development occurring in the vicinity of the pipeline. Some of the letters in opposition voiced concerns about the impact of the proposed development on their individual wells. The development should have little effect on area wells with municipal services being provided, having less potential of contaminating the aquifer, reducing the number of wells drilled to serve the properties. Traffic is a major concern. The traffic impact studies indicated existing deficiencies at both the Duff Lane and Lansing Lane intersections of State Highway 44. The developer has agreed to provide design construction of the interim signalized intersection at Highway 44 and Duff Lane. The developer has agreed to construct the intersection at Lansing Lane if not previously constructed by phase 10 of the proposed development. The development, if approved, is proposed to be developed in 13 phases with projected buildout at 7-10 years based on market demand. Mill Creek Elementary is at 118% of capacity, possibly more at this point, and currently has six modular units in place providing for 12 classrooms. The school district expects to have .5-.7 students per household enter the school system, and for the proposed development of 421 lots, the district anticipates approximately 210-294 students at full buildout of the project. The developer has entered into an MOU with the school district to provide at the time of final plat for each phase of the development, \$1,500 per buildable lot to address potential impacts of the new residences within the proposed development. The projected payment to the district for the 421 lots will be \$630,500. It's a voluntary commitment not currently provided by other developers in the area. The development will construct two primary thru accesses between Duff Lane and Lansing Lane to provide for some much needed relief to Purple Sage and Foothill Roads. The site contains slopes greater than 15% and requires compliance with CCZO special developments; hillside development code. They are required to build two collector roadways including Meadow Park Boulevard and Willis Road. Following her staff report, Ms. Root responded to questions from the Board.

Testimony in favor of the request was as follows:

Hethe Clark testified this property has been planned in both the City of Middleton and the County as residential. It is within a ¼ mile of the city limits and there are 65 platted or developing subdivisions within one mile of the project. The County has spent the last few years focusing on pushing development into the areas of city impact, and this is an area where services are located and planned to expand and as a result it would be more appropriate for density to be located in this area. There has to be density in order to economically provide city services, and if we have density where it's supposed to be, then we preserve ag ground by putting it in appropriate locations. The phasing plan will start on the west at Duff Lane and move east to Lansing Lane. A 7-10 phasing plan is what's anticipated and that's part of what mitigates the impacts in a project like this. The project has excellent amenities such as ponds, clubhouses, pathways, parks, and 23% open space. Middleton has approved a pre-annexation agreement for this project and utilities will be provided by the city until it is annexed, and once the annexation path is available and in the meantime the developer will provide significant infrastructure improvements to serve existing and future growth. The developer's massive investments include a new regional sewer lift station, a new water booster station for an entire new pressure zone, a new municipal well and two

intersections will be improved at Highway 44. The overall investment is in the range of \$15 million. Mr. Clark spoke about how the Middleton School District really needs to have school bonds pass, and how the developer has signed an MOU with the school district confirming the \$1,500 payment. He reviewed concerns with the P&Z Commission recommendation of denial and following his testimony, Mr. Clark responded to questions from the Board.

The following people, who are opposed to the request, needed to leave the hearing early so their testimony was taken out of order.

Testimony in opposition was as follows

Jamie Sharpe testified that the project will greatly affect her quality of life, and she is greatly concerned with the disappearance of agricultural land as well as the impacts on neighboring wells, the adverse effect on water quality, and the impact on the schools that are already overly burdened.

Lyle Zufelt testified that one of his concerns is in the communication from Roberta Stewart from the City of Middleton who stated if the single well proves to be insufficient, the city may require a second well. He said we shouldn't be deceived into thinking this development will just pull water from municipal wells in the city. Middleton projects water demand in 2025 to be over 2 million gallons a day and this development, with the pre-annexation agreement to drill the second well if necessary, will be pumping 24 hours a day to try to meet that two million gallon a day demand by the residents in Middleton. He hasn't heard the developer offer to cover the cost of a new well for the neighbors if their wells go dry after the municipal well is drilled. Mr. Zufelt also spoke about concerns with how this project will negatively impact traffic and increase delays.

Ron Saunders lives contiguous to the subject property on the southeast side, and he represents 701 persons who've signed the petition objecting to the development. Because Duff Lane is not usable by heavy trucks, Lansing Lane is being used all day long. The proposed plans creates a high density suburban environment where a rural and agricultural area exists. A rezone is incompatible with current land uses and will negatively affect and change the character of the area. The homebuilding industry maximizes profit via the highest density of dwellings, and they have resources and political capital that citizens don't have and there needs to be a balance between builders' profits and the quality of life for citizens who are stuck with the results of high density development, traffic, overcrowded schools, and a rise in crime. The pre-annexation agreement between the City of Middleton and the builders occurred during the previous Mayor's tenure, and most of the people in Middleton were unaware of it and subsequently Middleton elected a new Mayor who ran a campaign in part to rein in the uncontrolled growth in the city, and according to Mr. Saunders they are contemplating a recall of city councilmembers.

Ted Todd testified that the developer proposes to pay for two traffic lights but neither will do anything to reduce traffic, and he believes people will sidestep those lights and drive through residential areas and other roads to avoid the congestion. This is the wrong project at the wrong time.

Bart Grayson testified he has lived on Lansing Lane for 29 years and his property adjoins the subject property. Between Mr. Grayson and his neighbors they own the road down to Lansing Lane, it's in between Meadow Park and Farmington Hills. It's not an easement. Meadow Park does not currently have access to Farmington Hills from his side of the property. The developer's plans for Meadow Park goes through his property and his barn and it will make a disaster of his 5-acre property as well as his neighbor's property and it will impact his ability to sell his property. Principal Planner Root said there is some discrepancy and Mr. Grayson's concerns are valid in that Meadow Park is a planned master transportation planned roadway and the alignment does follow this section line for that alignment. Canyon Highway District exhibits indicate this is a noted concern and a known situation and that right-of-way acquisition would be required. The halfwidth of Meadow Park is already completed for the Cascade Hills development which is on the north side of the Grayson property that runs to Lansing Lane. There may have to be concessions at some point to complete that planned collector roadway alignment. Mr. Grayson said if this is approved as it's drawn, there is no choice but to go through his land and it wouldn't take that much to make a jog and go around, but it needs to be planned for.

Jackie Grayson testified the entire south end of her property runs along the private property that the developer wants to take over. A top concern of citizens is the preservation of farmland and we see it going away very quickly. She likes the rural character of the area which is why they moved here but the proposed development removes that from those who paid high-dollar to live here. Schools are overcrowded and it will cost \$7.5M to build a new school but the only way to gain money to build schools and improve the fire department is by levies but they are not passing. She does not want to absorb the costs for another 421 houses. We don't need high-density population in the middle of houses that are 1.6 acres and larger.

Antonio Conti testified that he is opposed to developers using loopholes to go around the rules. Imminent domain is not supposed to benefit the developer, it's for the greater good. They are looking to build 360 lots on a half-built road, but what happens if the person is not willing to sell? Mr. Conti is also concerned about the impacts to wells. He said this is a beautiful development but it belongs in the city, not the county.

Greg Jones testified Lansing Lane is on top of a bluff and you cannot see over the ridge when coming up or going down and the access point on the east side of the development will put a lot more traffic at the crest of the hill where the ability to see oncoming traffic is really diminished. As we struggle with the schools and finding additional funding, the developer has said they will contribute \$1,500 per lot, but residents are paying nearly that amount per year per home to fund the existing schools. It will be an additional burden on the taxpayers and it doesn't fit the rest of the demographic as the homes in the area are one acre or greater. The development will decrease property values. He asked the Board to consider the safety of those in the area and look at the burden it places on the community because of the density and proximity.

Allen Colson said this project is almost quadruple the size of developments that were denied in the last year. The developer bought this land as agricultural ground and they bought it as an investment

and knowing it would have to be rezoned, but we do not owe them a rezone. He spoke of his concerns with the dangerous intersections in the area and the added strain 400 additional homes will have on EMS services. He asked, if we are not going to save this piece of land at 200 acres that's in agricultural production, then what pieces are we saving in the County?

Randy Hettema testified that he moved to a rural environment and it is quickly going away. He is concerned about the impact to his well, traffic, and the loss of existing farmland and he hopes the Board will consider the input of the citizens who are negatively impacted by the development.

Greg Baker submitted a video regarding the dangers at the intersection of Duff Lane and Meadow Park Blvd., due to the elevations, the grade, and speeding traffic. He is concerned about skip annexation and said the City of Middleton's planner had said this is setting the stage for further high density development out there.

Cheryl Palange lives in Cascade Hills and her kitchen window overlooks half of the subject property that currently has a field corn crop. The community supports agriculture but there are concerns about the impact on wells and wells going dry. In Cascade Hills, the developer gave away their landscape water rights so if they have to connect to a municipal well down the road or drill a deeper well they will not have any landscape water which is concerning. She said the traffic lights at Lansing and Duff is a pet project of the Mayor of Middleton and it will take a couple years (not 7-10) before they are installed.

William Selby testified that he moved to the area 10-12 years ago from Boise because it was too crowded. Subdivisions keep coming and traffic makes it difficult to access side roads and the proposed development will make it worse. He is concerned about wells in the area, noting that his well dropped by four feet. He is thinking about selling his property because this is not what he moved here for.

Testimony resumed with the following people testifying in favor of the request:

Dean Waite, who is part of the development team, testified that he was born and raised in this valley and he cares about the community. When they began this project many years ago their intention was for acreage lots and there were challenges mostly due to septic issues and the water rights issue. It is true that one well for all the lots will be less impactful to the surrounding residents than 150-180 individual wells, but that's not the reason they changed. There were other issues with nitrates and traffic and that's how they came to their current plan. He has been in development for 25 years and he has not seen a project of this size that has been so willing to step forward and do the infrastructure upfront and to privately pay for the public infrastructure projects and he is surprised there isn't more excitement for the developer doing this. It will be \$15M most of which will be spent before one house is built. Regarding the issue with Meadow Park Blvd., this is an east/west corridor that the highway district has planned to take traffic off Purple Sage and State Street. There is a private land issue and that is why Willis Road is a one-mile collector road they have agreed to build that will help ease that problem. Willis Road has a plan just like Meadow Park to be pushed all the way through. There are private property issues but he

said they can do their mile of collector on Willis Road and they have agreed to provide monies for Meadow Park if they ever figure out the private property issue. They have met with the fire department and offered them a location for a new building but they did not need it. The first lot will tap into municipal water and sewer; the first three phases will be provided by current Middleton services with a booster station.

Zane Cradic, the project engineer, testified that the emails with the City of Middleton and staff was in discussion if they drill a test well and the well doesn't meet requirements they would drill a second well. The first well would then be abandoned. They would only utilize one well. There were comments about a 5-15 minute delay on Duff Lane, but that's not what the TIS is talking about, the TIS is in seconds, not minutes. In 2021, Duff Lane and Middleton Road were already failing. The developer sees it's a need for the community and with private funding they can expedite the process to get the services improved that are failing today. Regarding the flag lots along Meadow Park, they are aware of those lots and they have worked with the highway district but they are not trying to connect Meadow Park, they were told they had to give the right-of-way for future connection so they are donating the right-of-way for future connection and then if the highway district in the future acquires that additional 20 feet that's going by the private property to the north they will give up to their property line and then the next person will give their piece on the other side of the street. It happens to be two 5-acre parcels that own that 20-foot stretch, 10 feet for each parcel. They are not saying they need it nor are they going to take it with imminent domain. They are dedicating on their property.

Testimony resumed with the following people testifying in opposition to the request:

Denise Rhodes testified there is no guarantee the development will ever touch city limits. The way the city engineer has presented it, it will be 8-10 years before it can be annexed so in that time Middleton is taking water from the county and selling it back to city residents. The developer is a third generation developer and he knew the rules when he bought the land and if he didn't do his due diligence or this project doesn't pencil out, that's not for the County to fix or for the residents to bear the burden of. The traffic studies in his plan were outdated and included two years of COVID. Adding 1,000 cars to roads that are used by farmers, cyclists, etc, puts everyone at risk. There have been injury accidents at the Duff and Purple Sage and Lansing and Purple Sage intersections. The developers plan to put a light at Lansing Lane in 10 years, but she would rather go with the Mayor's plan at 3 years. Extending Willis Road by one mile does not mitigate any traffic, it just creates an unsafe cut through in a residential neighborhood. It will have a negative impact to services and it will be 8-10 years before they are allowed to annex. She moved to Canyon County for the rural nature and if she wanted 6,000 square foot lots she would have moved to Ada County.

Robert Ubry testified that he has lived across the street from the subject property for 10 years. The comprehensive plan gives guidance and speaks to protecting the rural character, compatibility with surrounding community, protecting and enhancing the rural landscape, consider site compatibility and characteristics and does not fragment existing land use patterns. The Board's duty is to protect the land, people and the way of life. This high-density project violates this

guidance at every level and must be stopped. Impacts on rural liability, traffic, schools, water, and waste cannot be denied or reasoned away with platitude and promises. It will forever change the character of the area and the impact on the existing community cannot be ignored. This is a rural low-density area with 1-acre+ properties and small to medium-sized productive farms. This is an overreach by the City of Middleton in their attempt to secure a larger tax base and gain access to groundwater for uncontrolled growth in the city. Mr. Ubry said he is not anti-development, and if the proposal was for one house on one to five acres he would not oppose it.

Randy Waite testified he has lived directly south of the subject property since 1967 and development is out of hand. He is concerned about the impact on the schools and said the people who purchase the lots will pay the costs, not the developer. He believes the project is too dense and will create a disaster for Middleton with the traffic problems.

Donna Goelz testified she has lived near the intersection of Purple Sage and Lansing Lane for 33 years, and the proposed development will negatively affect the character of the area and the quality of life for those who live nearby. The developer has a schematic of a development with sidewalks, streetlights, community areas, but those who live in a rural community are not going to benefit from those amenities. Neighbors ride horses, families bicycle together, and residents find pleasure walking and jogging along the roads. School children stand on the side of the road, often in the dark as they wait for the school bus in the early morning hours. She spoke about concerns with the roads and said in the past five years there have been more than 18 car accidents collectively at the intersections of Purple Sage and Lansing, and Purple Sage and Duff. Tragically, one of those accidents resulted in the death of a teenage driver and a child in 2020. With the proposed addition of 420 homes it is easy to foresee the increase of traffic will not only impact the traffic flow, the noise, congestion and road safety, but it will also create harm to the quality of life for the community. This does not take into account the harm caused by the drawdown of their water resources or the overwhelming impact to the other essential public services.

Kim Takagi lives on Duff Lane across from the subject property, and she moved there in 1978. The subject property is very viable and is currently growing seed. The land yields 70 tons of hay with every cutting, and they put cattle on it afterwards to eat what's left. She spoke about traffic concerns and said people speed on Duff Lane, and there are blind spots on the road and putting more people in the area increases the risk.

Kim Carson testified that her property adjoins the proposed development on the north and she believes the developer has cherry-picked sections of the comprehensive plan to make it appear as though it fits. This is not orderly development, it's leapfrogging and it's out of control. High-density housing will negatively change the area and will significantly compound the problems with essential public services. The well issue is a big concern. With all the diversion of the water, the huge 16-inch lines going out of the community well to the city of Middleton, there has to be an impact on area wells. She is surprised a water study hasn't been done when you're diverting this much water away from a property and it's not returning to the aquifer. The traffic study was outdated, they changed the date on the study, but didn't change the study at all. It doesn't

mention Meadow Park Blvd., and that is an integral part of this development. How will it impact the area? The blind spots and reduced visibility areas are horrific.

Donald Bates testified that if people are using the Middleton Sewer System that water is no longer going to go back to recharge the aquifer and you're going to see wells drop because of it. He spoke about the traffic congestion on Stone Lane, and said widening the road is not going to solve the problem.

Tamara Sloviaczek lives on Bullock Lane in Middleton where she and her husband own and operate a 50-acre organic produce and sheep farm. They support agriculture. They also own the 80 acres north of this development and they rent it to Ty Meeks. She has attended many hearings to speak in favor of ag rural life and to hold off development. This year they had to invest \$25,000 in a bubbler for the 80-acre piece so their renter could farm it and it will take 10 years to gain back that investment. They sold some of the land that's currently included in this development so they could pay for expenses, such as the bubbler as well as make investments in the 50-acre piece that her husband and son are farming in the hopes they can support their family. She asked the Board to figure out a way to continue to support agriculture in Canyon County.

Samuel Thomas testified that Middleton is over capacity on their sewer and doesn't know if the city can handle this project connecting to it and is concerned it will come back on the taxpayers. The soils report said 85% of this land is prime farmland. If you approve a city project in the county it will set a precedent for every other developer to come out there and do the same.

Rick Francis said when the project was first introduced to the P&Z Commission, the staff person stated all the surrounding properties were at least 1-5 acre lots and then commented that it doesn't matter, and there was no explanation for that and that really caught his attention. It does matter. How does high-density not affect the whole area? Density is not supposed to be at this rural location. On April 17th the Middleton City Council passed Ordinance 693 which addressed the idea of limiting development until the school issue can be resolved and he asked the Board to also deny this project in support of the City of Middleton's stance.

Mark Press testified that he likes living in a rural setting because it offers dark skies at night and he said if all developments come in with parks and tennis courts and streetlights the enjoyment of night skies will be diminished. He is concerned about the traffic congestion at the intersection of Duff Lane and Highway 44 and said the development will add immensely to the traffic issues. He does not want to lose the rural character of his neighborhood.

Mike Morcom testified the elimination of farm ground and the water we are taking recharges the surface water, and when you eliminate that and put in subdivisions you eliminate the recharge in groundwater. He is concerned about the impacts on wells and the aquifer. He called the Idaho Department of Water Resources but they don't have answers. He would like to see somebody undertake a water study for this area to give some assurance. The Board needs to have a firm grasp of what's being done or we need to stop growth until we do.

The Board took a break at 4:35 p.m. and back on the record at 4:47 p.m.

Rebuttal testimony was offered by Hethe Clark who addressed the questions from the neighbors. Meadow Park Blvd., is not placed in that location at the applicant's request or direction. The highway district identified it as an east/west collector that they would like to see in the future so the developer is giving up property for that as well but that's not something they are insisting on and they don't see it as something that's required for the project. Willis Road serves that function. They are following Canyon Highway District's direction on that. Regarding improvements at Purple Sage and Duff, at Highway 44, neither of the intersections are eligible for impact fees or any other fees that would help pay for that, and that's part of the problem and why they have been dependent on federal funds is because they were identified as already failing and so they are not in the Mid-Star Plan. Regarding Purple Sage at Duff and Lansing, those are impact fee eligible intersections and so the developer by stepping in and coming up with funds where there is not a mechanism already. They will pay their share, impact fees will be going to improve purple sage, Duff and Lansing Lane. Regarding Duff Lane, there was conversation about the rolling nature, visibility and sight lines. They have discussed that with the highway district and are contributing additional right-of-way so that can be raised eventually. The district is not asking the developer to put improvements there to fix that issue right now because they want to take care of that as part of a larger solution. They have agreed to a payment in lieu so they are putting money in to address that visibility issue, it will be there for the highway district for when they are ready to use it. Regarding the traffic study, it was suggested it was outdated. They made application in 2021 and given the amount of time that has passed they went to the agencies and asked if they wanted the developer to redo it. The study includes seven projects that haven't gone forward so the agencies said no, stick with what you have because if you redo that it would drop the impacts on the intersections and they think this is more conservative and a better approach. Regarding schools, state legislature has not given many tools to deal with schools. The Local Land Use Planning Act says we cannot have a subdivision fee that isn't authorized by the impact fee act and that act doesn't allow for school impact fees. He doesn't know that it would be helpful because a lot of people would say use the impact fees to pay for your building but impact fees accumulate over time so you wouldn't have the building for quite a while and in the meantime, you will have a difficult time getting a bond passed. They have worked with Superintendent Gee and he is working hard to get a bond passed which would address what is already a challenge that is confronting the school district and that would exist regardless of whether this subdivision was approved. In the meantime they have identified the mitigation they can provide; the school district has shown what those costs are and the developer agreed to increase that in order to address their fair share. Regarding the pre-annexation agreement and arrangements with the City of Middleton, there has been some suggestion it is shoestring annexation or that it's not orderly development, but is not an annexation; the annexation doesn't occur now. They have to wait for the annexation. What makes this orderly is they went to the City of Middleton and asked what they need and they came up with a pre-annexation agreement that creates the runway. This area is planned to go into the City likely at higher densities than the developer is proposing. They put \$15M to the problem of making sure it's ready to go into the city when it's appropriate. Mr. Clark said this project is not exporting water. Black Canyon Irrigation District provides the irrigation water to the site, it's not a groundwater-irrigated site; it's all surface water and the surface water is going to continue to

come to each residence. They are talking about a municipal well which goes through a rigorous approval process through the IDWR where they are going to look at uses and consumption and from there it will be subject to the oversight of DEQ when it comes to the ability to serve. This is a group that's worried about preserving agriculture and the impact on the character of the area. We know people are coming. If they were to do one-acre lots that kind of gross density will typically be something in the .75 range so in order provide 400 units of housing at that density, rather than using 200 acres you'd use 600 acres. That's how you lose agricultural ground. Canyon County and the City of Middleton have set the stage for this; it's in the impact area and both the County and the City have planned for it to be residential and the County has said where you have urban services you can do 12,000 square foot lots.

Principal Planner Root said DSD staff met with the City of Middleton regarding their waste treatment and this development is calculated into their ability to serve in the current waste treatment system. Further discussion ensued.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. The Board's deliberation began at 5:04 p.m. where they reviewed the conditional rezone criteria:

Is the proposed conditional rezone compatible with surrounding land uses? The Board finds the proposed conditional rezone is generally consistent with the comprehensive plan although there is a significant difference between what the city and the county considers residential development.

When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation? Commissioner Van Beek said the P&Z Commission found that the CR-R-1 zone is not more appropriate than the current agricultural zoning designation and she supports that finding and conclusion. Although the area appears to be trending to a residential area, it is not to the density that is being proposed. Commissioner Brooks said it's an issue of density and he did not find R-1 is appropriate for this area. Commissioner Holton understands Hethe Clark's argument but the surrounding property is owned by people who moved here with the idea of having a rural residential. It is not more appropriate than the current zoning. Sooner or later it will be annexed and the density will be much higher.

Is the proposed conditional rezone compatible with surrounding land uses? Commissioner Van Beek supports the P&Z Commission's findings that the single-family residential zoning is not compatible with the surrounding land uses. There is a provision for a transitional area that would include larger lots but that's not what this is. Commissioner Brooks said his answer for previous question also applies to this. Commissioner Holton concurs that the proposed use would not be compatible.

Will the proposed conditional rezone negatively affect the character of the area? Commissioner Van Beek said the proposed use will negatively impact the livelihood, safety, and character of the area. Commissioner Brooks said the character of this area is rural residential, obviously the subject

property is in productive ag, but he agrees that it is trending towards more residential, but not that the proposed density and it would negatively affect the character of the area. Commissioner Holton concurred. The applicant has done more to attempt to mitigate negative effects than any developer he has worked with. Commissioner Van Beek said even though \$15M is one of the best efforts we have seen, it does fall short. Commissioner Brooks said the number of rooftops are the reason mitigation measures are necessary and unless you mitigate the number of rooftops its hard to come to a conclusion that other mitigation efforts that are the byproduct of the number of rooftops can be sufficiently addressed. Commissioner Holton said a reduction in the number of houses would make it more viable.

Will adequate facilities and services including sewer, water, drainage, irrigation, and utilities be provided to accommodate proposed conditional rezone? Commissioner Van Beek said it has to be in tandem with what's happening in the City of Middleton as there have been changes with the leadership. This should be a no; they are already at capacity. They were hoping to say no more entitlements until the school capacities are not in excess of 110%. They will have to upgrade the sewer facility and we don't know what the cost is. Commissioner Brooks said testimony indicated the first three phases can be served and after that the municipal well will need to be drilled, that could be several years from now. He defaults to the P&Z Commission. Commissioner Van Beek said there were concerns cited on the Black Canyon Irrigation District document. The issues are recharge and what happens to the irrigation water. Commissioner Holton sees it differently. When the city gives a *will serve* that's an expectation that's almost contractual and that's what Middleton chose to do. They have the potential to have the water and sewer, but he has a problem with them putting a well of this magnitude in that area. Middleton has a large footprint for their water system and the aquifer and the groundwater available by the river is much higher than in this area. He would like to see an agreement to invest with the City of Middleton in a location that's closer to the Boise River.

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? What measure have been taken to mitigate traffic impacts? Commissioner Van Beek said it does not address the already loaded infrastructure and the video was telling, that pocket where a car is hidden. There is rolling topography and there are dangerous traffic concerns on Highway 44, but a traffic signal does not alleviate the traffic concerns. The only way to mitigate is to not add to the problem. She found the proportionate share was insufficient as a contribution toward mitigating the significant traffic deficiencies that exist. The proposed issue is insufficient to mitigate with the existing problems and the load that would be put on. Commissioner Brooks concurred. The mitigation efforts have not reached a threshold of minimizing undue interference with existing or future traffic patterns. There are too many intersections with too much traffic to mitigate with what has been proposed. Commissioner Holton said seldom do we have a developer willing to do an improvement on an intersection 1 ½ mile away before they even start. The terrain is problematic and it is frustrating the highway district would not coordinate with the developer to take out some of those swales. Commissioner Brooks said they are in no position to participate fully in what it requires for a project of this magnitude to be consumed within their city.

Does legal access to the subject property for the conditional rezone exist or will it exist at time of development? The Board concurs with the P&Z Commission's findings.

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? Commissioner Van Beek said the schools were crowded when her kids attended, and portable units are used but they are not the answer. Middleton is in need of expanding their school system. It's unfortunate the ambulance levy failed because they are behind with the growth and cannot keep up with the essential emergency services. Agencies are struggling to keep up. Commissioner Brooks said EMS are already impacted regardless of this project. He cannot find in the affirmative for criteria no. 8. Commissioner Holton said the developer voluntarily agreed to contribute, and that dollar amount is 100% more than the Board has experienced to date. Idaho has a problem going forward and some of the land use decisions are ticking time bombs for schools, fire police, because they are approved and guess who gets to pay for that through a bond levy? Impact fees will be marginally helpful, but they will not solve the problem. Bonds are failing at the polls. The Board concurs with the draft FCOs.

Regarding the Area of City Impact Agreement Ordinance, Commissioner Brooks said there is nothing contiguous to city limits and in 10 years this could still be a county subdivision. Commissioner Holton appreciates that the developer worked with the city and got agreements for will serve and although the preliminary plat was presented well, it is too big of change for this area.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to deny Case No. RZ2021-0056, a conditional rezone from an "A" zone to a CR-R-1" zone for parcels R37605, R370605010, R37602010 and R37597 comprised of approximately 217 +/- acres. The motion was seconded by Commissioner Van Beek. Commissioner Brooks amended his motion to add if the applicant wishes to gain approval they may consider larger lot sizes and/or to wait for the right time, which is when the City of Middleton is ready and able to annex the property. Commissioner Van Beek amended her second. The motion carried unanimously. Commissioner Holton made a motion to deny Case No. SD2021-0059, the preliminary plat, phasing plan, irrigation plan, hillside development plan, and the grading and drainage plan for Farmington Hills Subdivision due to the denial of the proposed rezone for the subject properties in Case No. RZ2021-0056. The plat does not comply with the underlying agricultural zoning requirements. If the applicant wishes to obtain approval they may consider increasing the lot size and/or wait for the right time, which is when the City of Middleton is ready to annex the subject properties. The motion was seconded by Commissioner Brooks and carried unanimously. The Board will consider the FCO's on Monday, June 24, 2024 at 9:30 a.m. The hearing concluded at 5:50 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Boise Bubbly & Taps to be used 6/21/24
- The Curb Bar & Grill to be used 8/17/24

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$5804.31 for the Information Technology department (PO #6043)
- BOE in the amount of \$6044 for the Information Technology department (PO #6044)

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. Zach Wesley, Deputy P.A. Laura Keys, Facilities Director Rick Britton (left at 9:32 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing addendum no. 1 to Request for Qualifications for Architecture/Engineering Services for the George Nourse Gun Range Four-year Phased Construction Plans: Director Britton explained this addendum addresses questions that have been received regarding the project. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign addendum no. 1 to the request for qualification for architecture/engineering services for the George Nourse Gun Range four-year phased construction plans.

Commissioner Holton asked about herd district vs. open range. Mr. Wesley explained that all of Canyon County is a herd district and that there is no open range along with providing an explanation of how the ordinance came to be many years ago (ordinance was signed on December 10, 1982).

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 9:34 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, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys and COO Greg Rast. The Executive Session concluded at 10:14 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.

JUNE 2024 TERM
CALDWELL, IDAHO JUNE 12, 2024

APPROVED CLAIMS

- The Board has approved claims 606495 to 606540 in the amount of \$181,988.64

APPROVED JUNE 14, 2024 PAYROLL

- The Board approved the June 14, 2024 payroll in the amount of \$2,340,423.75

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Melissa Kershaw, Livestock Show Office Assistant - County Fair
- Jessica Rodriguez, Legal Assistant I (Underfill) Criminal Division of Prosecutor's Office

FY2025 BUDGET WORKSHOP FOR THE TREASURER'S OFFICE

The Board met today at 9:32 a.m. for a FY2025 budget workshop with the Treasurer's Office. Present were: Commissioners Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Banking and Finance Manager Melissa Tucker, COO Greg Rast and Deputy Clerk Jenen Ross.

Treasurer Lloyd reviewed the following with the Board:

- Interest earnings are projecting higher but she cautioned that they can be very volatile; a copy of the graph provided to the Board is on file with this day's minutes.
- Largest increase in the budget is to salaries
 - There will be a change in leadership in the next fiscal year and Treasurer Lloyd wants to give latitude to the incoming person to make adjustments as they feel necessary.
 - The Chief Deputy has been in that position for 8 ½ years and has not yet reached the salary mid-point; this may be a reasonable adjustment.
 - Banking and Finance Manager came in below mid-point but has several years of experience that was not factored in.

- An adjustment has been made to a Deputy Treasurer position; would like to increase this position past the \$18.00 minimum as the responsibilities for the position warrant an increased salary.
- Increase of \$20,000 in miscellaneous professional services just related to increased costs
- Tax deed expenditures increased \$5000
- Armored car service – currently paying \$1900/monthly but recently the service has been lacking as they've moved to a new AI dispatch system. Treasurer Lloyd is evaluating other options which may provide a cost savings to the county.

The Board is in favor of accepting this initial budget proposal.

The meeting concluded at 9:59 a.m. and 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 Brad Holton and Zach Brooks, Director Yvonne Baker, Case Manager Kellie George, COO Greg Rast, Other interested citizens and Deputy Clerk Jenen Ross.

Ms. George said that case nos. 2006-988, 2006-17, 2006-367, 2013-464 have all met their obligation to the county and are requesting releases of liens. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the release of liens for the cases read into the record.

Case no. 2024-26 is an application for cremation and following an investigation by Indigent Services the decedent meets the criteria for county assistance. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to approve the case.

Director Baker provided a background on case no. 2011-138 which was approved on 8/24/11. The approved amount paid out was \$16,268.65 with monthly reimbursement payments set at \$100; since 2011 no payments have been made on the account. At the time services were rendered the obligated parties were married but separated; they have since divorced. The ex-wife of the patient was unaware of the obligation until recently when a title search was run in order for her to purchase a home with her daughter. The purchase will be made with an FHA loan so there can be no debt or liens tied to the purchasers. A request is being made of the county to allow a partial release of the lien in order for the loan to go thru. Options for a partial release of the lien is at the discretion of the Board but options range from a partial release for the ex-wife with zero payment to requesting half the debt be paid. A lien would still be in place for the patient (husband) who actually received the medical care. The Board would like some additional information such as can the release of lien be recorded in conjunction with the loan funding to ensure the house is indeed purchased and/or if a partial payment could be rolled in with the mortgage. Ms. Baker indicated Indigent Services is scheduled to meet again with the Board on Friday and she anticipates having more information for the Board at that time.

The meeting concluded at 1:47 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 1:49 p.m. to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Office Manager Jennifer Almeida (left at 1:53 p.m.), Facilities Director Rick Britton, HR Business Partner Jennifer Allen, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution granting a refund to Scott Swanbeck for an unnecessary Director Decision Variance, Case no. AD2024-0018: Ms. Almeida explained that the applicant applied for setback variance but following a review of the case it was determined that using the City of Nampa setbacks would be applicable and the variance would be unnecessary. Staff is recommending a refund of \$420. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution granting a refund to Scott Swanbeck for an unnecessary Director Decision Variance, Case no. AD2024-0018 (resolution no. 24-125)

Consider a resolution adopting changes to the job title of three (3) positions in the Weed and Pest department: This resolution will change one (1) Sr. Weed and Pest GIS Coordinator to one (1) Sr. Weed and Pest Technician; one (1) Sr. Weed and Gopher Applicator to one (1) Sr. Weed and Pest Technician; and one (1) Sr. Weed and Gopher Applicator to one (1) Sr. Weed and Pest Technician. There are no fiscal impacts with any of the changes. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution adopting change to the job title of three (3) positions in the Weed and Pest department (resolution no. 24-124).

The meeting concluded at 1:56 p.m. Due to a glitch in the system, there is no audio available for this meeting.

FY2025 BUDGET WORKSHOP FOR THE PROSECUTOR'S OFFICE

The Board met today at 2:02 p.m. for a FY2025 budget workshop with the Prosecutor's Office. Present were: Commissioners Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sara Winslow, Prosecutor Bryan Taylor, Chief Deputy P.A. Doug Robertson, P.A. Office Manager Melinda Longoria, P.A. Lead Victim/Witness Coordinator Denise Himes (left at 3:09 p.m.), Lt. Martin Flores, Cpt. Harold Patchett (left at 2:39 p.m.), Director of Court Operations Jess Urresti, COO Greg Rast, Cpt. Chuck Gentry (arrived at 2:41 p.m. left at 2:57 p.m.), Chris Boyd and Deputy Clerk Jenen Ross.

The Prosecutor's Office reviewed a PowerPoint presentation which addressed the following:

- A couple oddities to their budget in comparing FY24 to FY25 is the additional funding from the Pre-prosecution Diversion grant (\$1.8M) and the inclusion of funding for the Dalrymple trial which should be concluding prior to the end of fiscal year 2024.
- 'A' budget requests
 - Request that CCPA employees are included in the County's COLA/market adjustments
 - Requesting two new positions
 - Criminal Deputy – Magistrate Team Lead
 - Victim Witness Coordinator
- 'B' budget requests
 - Decreases include reductions to the Vehicles budget line, Capital Construction budget line and the included funding for the *State v. Dalrymple*
 - Increases include the Computer equipment line based on IT recommendations and trial related expenses as costs have generally increased.
 - Based on a conversation with IT Director Higgins, PA Taylor will leave the evaluation and procurement of new management software to the incoming prosecutor. In the meantime, IT will continue to support the JustWare software.

At the conclusion of the PowerPoint presentation, discussion ensued regarding the following:

- Proposed new Deputy P.A. position
- Attorney salary adjustments based on qualifying years matrix
- Line item contingent upon COLAs provided to city employees
- Creation/updating of the job description for the IT person within the Prosecutor's budget; and reason for not using the IT department
- Conflict prosecution services
- Miscellaneous revenues, Commissioner Holton recommended \$10,000 be included
- Expenditure line for asset forfeiture; in previous years \$30,000 has been kept as a placeholder
- Case management software - IT requested that this line be changed to zero; Prosecutor Taylor would like to defer selection of a new management system to his successor. Commissioner Holton would like to see something included in this line item by the follow-up budget workshop.
- Vacant positions within the office

Further discussion ensued regarding Prosecutor Taylor's plans for leaving Office. Commissioner Holton noted that due to Idaho's May Primary election, at this time Mr. Taylor is essentially a "lame duck" and he would like to avoid the poor transition he felt took place when he and Commissioner Brooks took office. He asked if Mr. Taylor would like to discuss the "golden parachute" and go on or if he'd like to complete his whole term. Mr. Taylor said there is a lot involved in this situation and would be happy to speak with Commissioner Holton privately. Conversations and emails have

happened between Mr. Taylor and Mr. Boyd but Mr. Taylor is not willing to disclose what was discussed in those private conversations. Prosecutor Taylor spoke briefly about staff he'd like to see remain in the office to assist with the transition as they have institutional knowledge of workings within the office.

Commissioner Brooks said that with the change in elected official happening just a few months into the fiscal year he initially feels inclined to keep the budget flat, not approve the new positions but leave some contingency in the budget for the new prosecutor to work with. Upon further discussion, Commissioner Brooks said this is the first go-around for budget workshops and felt the suggestions could be included to be discussed and evaluated later in the budget process and when Commissioner Van Beek is back in the office.

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

JUNE 2024 TERM
CALDWELL, IDAHO JUNE 13, 2024

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 Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Deputy P.A. Laura Keys, Director of Juvenile Probation Elda Catalano (left at 9:35 a.m.), Assistant Director of Juvenile Probation Jose Orozco (left at 9:35 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing Memorandum of Agreement to Support the Community Based Alternative Services (CBAS) Program and the Substance Use Disorder Services (SUDS) Program: Mr. Klaas said that legal has reviewed this MOA and has no concerns. Director Catalano explained this is the 12th year for this agreement and spoke to what each of the programs cover and what the funding can be used for. Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to sign the memorandum of agreement to support the Community Based Alternative Services (CBAS) program and the Substance Use Disorder Services (SUDS) program (agreement no. 24-046).

Ms. Keys referenced an email she received from Commissioner Brooks noting that she is looking into the issue regarding amateur radio repeater.

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

FY2025 BUDGET WORKSHOP FOR THE COUNTY AGENT

The Board met today at 10:30 a.m. for a FY2025 budget workshop with the County Agent. Present were: Commissioners Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Sr. Systems Analyst Steve Onofrei, County Agent Tasha Howard, Office Coordinator Diana Hoffman, COO Greg Rast and Deputy Clerk Jenen Ross.

Ms. Howard reviewed a PowerPoint presentation which covered the following:

- Department responsibilities
- Mission
- FY23 Accomplishments
- Data measures
- 'A' budget
 - Requesting a new position: 4-H Program Coordinator – this is a position that is already filled but would allow transition from a university position to a full-time county employee. In previous years this position has been funded at 90% by the county as part of the 'B' budget. The difference would be approximately \$5900.
 - 3 full-time employees which are considered “loaned employees” – slight equity adjustment for the Office Coordinator position and COLAs for the two Sr. Customer Service Specialists.
- 'B' budget
 - It appears there are is a 37% reduction in the 'B' budget but the majority comes from moving the 4-H Coordinator position to the 'A' budget. Overall the reduction is closer to 10% with the majority of the categories having reductions and only 3 having increases
 - Total estimated 'B' budget operating expenditures is \$93,462.
- 'C' budget
 - No capital improvements are being requested.
- Top priorities and goals for FY25

The Board is supportive of accepting this initial proposal. The meeting concluded at 11:12 a.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR COUNTY FAIR

The Board met today at 1:31p.m. to conduct the FY2025 budget workshop for the County Fair. Present were: Commissioners Brad Holton and Zach Brooks, Commissioner Leslie Van Beek (via conference call), Fair Director Diana Sinner, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, County Agent Tasha Howard, Facilities Director Rick Britton, Senior Systems Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. Highlights from the Fair workshop were as follows:

Director Sinner said this year's County Fair budget is less than last year's budget. She is not requesting any new positions or capital improvements.

There was a review of the Fair's revenue history and the goals for increasing revenue, which includes potential fee increases in FY2026.

The FY2025 projected revenues for the County Fair are \$756,500, and \$433,504 for the County Fair Building.

The FY2025 requested budget for the County Fair is \$1,447,064, and \$396,663 for the County Fair Building.

There was a review of the Fair expenses. The only major expense she has is to add dollars to the main stage entertainment line item. There is a challenge in the fair industry with the exorbitant cost of booking concert artists and there are large state fairs that are considering not booking concerts anymore because they cannot afford to. Director Sinner doesn't feel good about the fact that the majority of people at the Fair pay \$8 to see a concert and now the concerts are double the price. She reported on parking issues and the potential for development within their area of impact that could have a very negative impact on the facility rental. She should have \$275,000 left to spend, but she wants to know what the sub-area master plan of the Caldwell Events Center looks like before deciding what to spend.

No fee adjustments are included for FY2025. Fee adjustments for the FY2026 Fair are currently being developed, depending on the outcome of this year's Fair.

The budget narrative was as follows:

"A" Budget – Personnel Budget

No new positions are being requested for FY2025. There are no adjustment or promotions requests for FY2025. They have one vacant position but hope to fill the position soon.

"B" Budget – Operating Expenditures

Overall expense (Fair and Fair facility, not including expenses reimbursable by Caldwell URA) is budgeted at an approximate \$46,000 reduction from FY2024.

Fair Facility expense reduced by approximately \$87,000. FY 2024 included a \$100,000 expense for new swine pens. The most significant changes are detailed below with additional information and specifics included in the notes in PowerPlan.

- Idaho Power - \$7500 increase due to actual from FY 2023 and projected price increase communicated by Facilities Director Britton.
- Travel/Training Expenses - \$6000 increase spread over several line items - Two Fair staff members are completing the IAFE Institute of Fair Management program in FY 2025 (graduation at 2025 IAFE Convention in FY 2026).

- Building Supplies - \$5000 moved from Facilities budget to Fair Facility budget for expenses unique to Fair facilities.

Fair expenses increased by \$41,000. The majority of the increase is for concert artists for the Main Stage. Additional information and specifics on line item increases are included in the notes in PowerPlan.

"C" Budget – Capital Budget

- An individual item \$5,000-\$15,000 use 680 expense codes and are not depreciated.
- An individual item \$15,000 and over use 681, 682, 683, 684 codes and are depreciated.

No capital property, equipment or projects are requested.

There was discussion regarding the levied fund of the Fair and the decision that put the County Agent under it. COO Rast said this year we levied \$1.4M for the Fair, but the County Agent is in that fund and that department is an expense-driven account so he wants to explore the idea of moving the County Agent into current expense while leaving only the Fair in the levied fund. Now that we have The Center with other revenue lines there is a potential it could be a self-serving fund driven on the Fair and rentals of the property and so to establish the baseline of an enterprise fund we have to take the other expenses out of it. Commissioner Van Beek believes it's a great proposal that makes a lot of sense. Commissioners Holton and Brooks agree. COO Rast said as revenues go up the levy drops and it eventually just drops off the property taxes 100%, but it's hard to get that full picture when there are other expenses in there. Senior Systems Analyst Steve Onofrei asked if we are moving the amount levied to current expense for the \$300,000 so the Fair would then be levying \$1.1M rather than \$1.4M? Commissioner Brooks said that would be a more accurate representation of the expense of the Fair. Clerk Hogaboam said it would but part of the goal is to get them to accrue fund balance, if you wanted to accelerate you would be offloading the cost but still providing the revenue to the Fair which means they would more quickly get to that but it would be with some dependency on the levy. Currently, the Fair fund is healthy. Further conversations need to be had and we have to reassess all the fund balances and all the moving pieces and be very careful in how we distribute what gets levied. COO Rast said we'll have a better picture in another year, but he was hoping to do a 50/50 split between the two and so that means dropping the Fair down by 50% of the County Agent's budget and the other 50% in current expense. The County Agent will be moved completely under current expense with that 50/50 split on the levy. Following further discussion, the Board was in agreement to move the expense over and they asked the Clerk to do some scenarios and projections on what it would look like and said they will figure out how it's divided or assigned during upcoming workshops. The Board accepted the budget proposal and moved it forward in the budgeting process. The meeting concluded at 2:20 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER A RESOLUTION ADOPTING CHANGES TO THE JOB TITLE AND PAY GRADE OF ONE (1) POSITION IN THE SHERIFF'S OFFICE

The Board met today at 2:31 p.m. to consider a resolution adopting changes to the job title and pay grade one position in the Sheriff's Office. Present were: Commissioners Brad Holton and Zach Brooks, Captain Ray Talbot, Lt. Martin Flores, HR Business Partner Cindy Lorta, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Senior Systems Analyst Steve Onofrei, COO Greg Rast, and Deputy Clerk Monica Reeves. Captain Talbot and Lt. Flores offer comments in support of the resolution where the Sheriff's Office wants to change the senior administrative specialist position in the emergency management office to a senior radio communications engineer position. They are looking for someone with the technical expertise to manage the radio network and perform repairs on the radios. It will entail a PCN and paygrade change from a paygrade 13 to a paygrade 14 which will result in a \$5,000 difference and it can be covered by the "A" budget. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to approve and sign the resolution adopting changes to the job title and paygrade for a senior radio communications engineer at a grade 14, from a senior administrative specialist grade 13. (Resolution No. 24-126.) The meeting concluded at 2:37 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER EIDE BAILLY ENGAGEMENT LETTER FOR THE 2024 AUDIT

The Board met today at 2:41 p.m. to consider an engagement letter from Eide Bailly for the 2024 audit. Present were: Commissioners Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Senior Systems Analyst Steve Onofrei, COO Greg Rast, and Deputy Clerk Monica Reeves. Clerk Hogaboam presented the letter from Eide Bailly which listed their engagement services and fees for 2024 (\$80,430) and 2025 (\$84,495). There are increased fees which are due to accounting requirements. There was discussion regarding the possibility of having the Clerk look into other options after the budget season. Commissioners Brooks and Holton are comfortable staying with Eide Bailly. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to approve the Chairman's signature on the letter to renew the contract between the Board of Commissioners and Eide Bailly. A copy of the signed letter is on file with this day's minute entry. The meeting concluded at 2:48 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2024 TERM
CALDWELL, IDAHO JUNE 14, 2024

APPROVED CLAIMS

- The Board has approved claims 606541 to 606583 in the amount of \$40,960.73
- The Board has approved claims 606584 to 606624 in the amount of \$192,876.64

APPROVED MARCH 2024 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of March 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.

APPROVED APRIL 2024 TERM COMMISSIONER PROCEEDINGS AND SYNOPSIS

The Minutes of the Fiscal Term of April 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.

FY2025 BUDGET WORKSHOP FOR JUVENILE DETENTION CENTER

The Board met today at 9:31 a.m. to conduct the FY2025 budget workshop for the Juvenile Detention Center. Present were: Commissioners Brad Holton and Zach Brooks, Auditing Supervisor Sarah Winslow, Clerk Rick Hogaboam, Director of Juvenile Detention Sean Brown, Assistant Director of Juvenile Detention Shawn Anderson, Senior Admin. Specialist Sue Britton, COO Greg Rast, Facilities Director Rick Britton, IT Director Steven Higgins, Director of Juvenile Probation Elda Catalano, Assistant Director of Juvenile Probation Jose Orozco, and Deputy Clerk Monica Reeves. Highlights were as follows:

- A review of the detention center's goals and accomplishments.
- HB 508 was passed which grants all juvenile detention officers and supervisors the Rule of 80.
- Total detention days are increasing; additional staff is not needed at this time.

Revenue for the SWIJDIC includes:

\$25,000 for the school breakfast program and \$35,000 for the school lunch program.

\$103,000 for the Clinician Program.

Housing fees from contracted counties: The 3-year average is \$470,000, but Director Brown is requesting \$425,000 which is an increase of \$100,000 from last year. Clerk Hogaboam said the year-to-date amount is \$297,000. He thinks the revenues were too conservative in the past. Commissioner Holton asked if it can be set up as a pass-through and said if Director Brown thinks the amount will be \$470,000 that's the amount we should reflect. Commissioner Brooks agrees. Director Brown thinks they will reach \$470,000 if they keep all the contracts, but if they lose the

state contract it will be \$400,000 or less. The Board wants Director Brown to use the \$450,000 number.

\$9,000 from the Ctel Inmate Telephone System.

"A" Budget - Personnel

The department is not asking for new positions; however, Director Brown may need to look at new positions in the future if the number of juveniles in detention continues to increase. He is not requesting any adjustments or promotions.

\$93,180 to cover extra time for shift changes.

\$46,736 for overtime to cover mandatory training and actual overtime.

\$86,240 for holiday pay.

\$61,360 for part-time.

There was discussion regarding the PERSI contributions. The Clerk will update the baseline for next year based on the change which hasn't been made yet.

"B" Budget – Operating Expenditures

Misc prof services was decreased by \$500

Hospital service \$500

Increase inmate medical services to \$165,000

Document shredding increased by \$100

\$50,900 for service contracts (total increase was \$1,900)

Training and equipment were increased by \$1,000

Employee appreciation \$1,200

The food line item increased by \$35,000 following discussion with the Board

Director Brown has not spent his IT budget because he hasn't purchased what he needs because he was trying to stay within budget. COO Rast said IT's recommendation was \$28,000 and there was \$7,000 in the line item for cameras and monitors for a total of \$35,000. He said the purchases could be combined and have the invoice hit on October 1 or 2 and pay for it in one shot to see where the department is at and have it come out of the next fiscal year. Director Brown will do what the Board wants, but said he was trying to stay within his budget.

"C" Budget – Capital Budget

Continue replacing locks throughout the facility. We replaced half of them last year and need to replace the rest of them. These locks are now obsolete and parts cannot be obtained for them. The estimated cost is \$10,000

Flooring throughout facility. This project will be expensive, so we would like to do it in stages. The floor is 25 yrs. old and continues to get worn out. It causes security risks when it peels and breaks apart. The new floor is a very durable floating floor, which lays over the original floor helping in demolition costs. The estimated cost is \$7,500.

Cover for outdoor gym area to help with people trying to get contraband into our facility by throwing it through the fence, it would also help by shading the outside area on hot days so the kids can be outside as much as possible. The estimated cost is \$6,500.

The Board asked Director Brown to check with the Sheriff's Office because they are hiring a new radio specialist to help with maintenance and procurement because there might be some possibility for collaboration. The Board is in consensus to accept the budget as presented and move it along in the budget process.

The meeting concluded at 10:13 a.m. An audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR JUVENILE PROBATION

The Board met today at 10:20 a.m. to conduct the FY2025 budget workshop for the Juvenile Detention Center. Present were: Commissioners Brad Holton and Zach Brooks, Auditing Supervisor Sarah Winslow, Clerk Rick Hogaboam, Director of Juvenile Detention Sean Brown, Assistant Director of Juvenile Detention Shawn Anderson, Senior Admin. Specialist Sue Britton, COO Greg Rast, Facilities Director Rick Britton, IT Director Steven Higgins, Director of Juvenile Probation Elda Catalano, Assistant Director of Juvenile Probation Jose Orozco, and Deputy Clerk Monica Reeves. Highlights were as follows:

Director Catalano reviewed the revenue projections, noting some are lower than expected.

2025 Revenues

Cigarette/Tobacco (IDJC) \$532,883
JCA/Parole Block (IDJC) \$404,236
Lottery (IDJC) \$ 75,000
Court Order Fees \$ 25,000
Urinalysis Drug Testing and Diversion Fees \$ 40,000
OPTUM Idaho \$3,000
District 3 SUDS Reimbursement (IDJC) \$ 20,000
Community Based Alternative Services (IDJC) \$ 255,000

"A" Budget – Personnel

Director Catalano is not requesting any new positions in the FY2025 budget. She is requesting merit-based adjustments and promotions as follows:

- Assistant Director- 5% annual increase of \$3,989. The requested adjustment would keep the staff in the same range.
- Division Supervisor - 3% annual increase of \$2,304. The requested adjustment would keep the staff in the same range.

- Juvenile Probation Officers III - 3% annual increase of \$1,664 (each). The requested adjustment would keep these staff in the same range.

Promotions:

- JPO I to JPO II, 4% annual increase of \$2,080. The requested salary would keep the staff in the same grade range.
- JPJO I to JPO II, 4% annual increase of \$2,080. The requested salary would keep the staff in the same grade range.

COO Rast asked if it would be prudent to reduce it for promotions only and have the others considered as part of the compensation allocation. Clerk Hogaboam said the promotions will stay in, and if there is a requested adjustment that will be pulled off to consider as part of the Countywide allocation, unless it's an equity adjustment in which case that is something Director Catalano should work with HR on. There will be further discussion at the compensation workshop where they will review all new position requests, promotions, and equity requests.

"B" Budget – Operating Expenditures

Juvenile Probation:

Community Incentive, re-entry & mental health (Community Based Alternative Services): \$250,000 (This revenue is not a true cost to the County because these monies are grant funds, made available for various services, that will be paid by the County but reimbursed by the Idaho Department of Juvenile Corrections (IDJC). An MOU is signed yearly to access these funds based on criteria set by IDJC.

Contract workers comp \$500 (these funds will pay workers comp and based on the number of community service hours completed. Note: the youth pay the court \$.60 per hour to the court as mandated by I.C 20-520 (1) (q).

Document Shredding \$700

Service Contracts \$9,975 (This line item will pay for the Case Management System (CMS) database support. The amount this year is higher by \$1,975 than last year.

Copiers contract \$6,000 (The amount for copier services/contract will remain the same as FY2024)

Postage \$700 (Pays for postage)

Parole Block/JCA:

Misc. professional services \$1,000 for unexpected items to run the department.

Cellular phone \$18,000 (This amount will pay for the monthly cell service for each phone assigned to juvenile probation officers and supervisors. Further, cell phones will be upgraded this year and this amount includes a fee of \$50 to replace each phone.)

Meals \$2,500 (This amount is dedicated for staff when they attend out of county trainings.)

Taxi \$200 (This amount will be used for transportation costs for out of county/state trainings.)

Parking \$150 (This will be dedicated for parking fees during out of county/state trainings.)

Association dues \$1,000 (This amount will cover the annual membership costs for the Idaho Juvenile Justice Association. The \$35 annual fee per membership allows probation officers to be eligible to receive scholarships to attend the annual conference at minimal cost to the County. Will also pay for the Idaho Association of County Juvenile Justice Administrators membership.)

Subscriptions \$350.00 (This amount will cover the cost of one-year subscription for the Idaho Tribune.)

Employee appreciation \$600 (These funds are used to purchase plaques and small items to show the County's appreciation to the Probation Officers during the week long national JPO appreciation week and during the annual Luncheon.)

Office supplies \$2,500 (These funds will be used to purchase on-going miscellaneous office supplies, including but not limited to notebooks, pens.)

Uniforms \$2,000 (These funds will be used to purchase Polo shirts with the County logo.)

Computer equipment \$20,000 (These funds will be used to replace the recommended computer equipment.)

Tobacco/Cigarette Tax:

UA's \$40,000 (These funds will pay for drug tests for youth who have been court ordered to submit to drug testing at sites such as Averhealth and Cordant Solutions. About 60% of the youth will pay the County for tests after the County has paid the fees.)

Psychological/Psychosexual evaluations \$30,000 (These funds will pay for court ordered evaluations. The cost for psychological evaluations has increased from previous years. Some of these evaluations cost over \$5,000 each. They are increasing the funds in this line by \$10,000. Juveniles and parents do not reimburse the County for these costs.) Following the discussion regarding the cost of evaluations and assessments, the amount was changed from \$30,000 to \$40,000.

Family Counseling \$15,000 (These funds are utilized for juveniles and their family when they need to access immediate services and when no other funding is available. The goal is for the therapist

to provide limited number of sessions to address the crisis the family is experiencing while they on a waiting list for long term services paid by Medicaid or other funding.)

Electronic Monitoring \$25,000 (These funds will pay for court ordered Electronic Monitoring services. I do not anticipate an increase for these services as the Court has ordered a few juveniles to pay for services directly to the provider.)

Group counseling \$10,000 (These funds will pay for specialized groups for boys and girls under supervision. These groups are offered only to youth under supervision.)

Sex offender group counseling \$10,000 (These funds will pay for sex offense specific treatment for juveniles who are not eligible to access other funding sources.)

Mentors \$10,000 (These funds will pay for Consultation of a mentor to participate in the Juvenile Drug Court Team and for mentoring service as ordered by the court and when youth are not eligible for other funding.)

Restorative Justice \$10,000 (These funds will be used to pay for conflict resolution, mediation, and restorative conferencing and to divert youth from the formal court process, when appropriate.)

Juv-Detention \$15,000 (Juvenile Detention receives these funds annually.)

Office Supplies \$2,500 (budget a total of \$5,000 for office supplies in two different divisions.)

Office Furniture \$3,000 (budgeting to replace desks and chairs that are over 20 years old.)

Lottery:

DocuSign \$3,500 (These funds will pay for the annual fee.)

Radios \$3,000 (These funds will cover the annual fee for each radio, replace ear pieces, and any needed parts to maintain the radios.)

Hotel \$3,000 (These funds will cover the hotel costs for staff who attend trainings within or out of state.)

Air Fare \$2,500 (These funds will cover flight expenses for out of State trainings.)

Training and Education \$9,000 (These funds will be used to provide a variety of trainings, out of state, within the State, and in house. The trainings will be to continue the development of staff in the area of sex offenders, gangs, mental health and substance abuse. The location of trainings varies based on topic.)

Employee Wellness \$1,200 (Employee wellness programs are a must in today's work force. Juvenile Probation implemented an employee driven wellness program and these funds will pay

for activity supplies, food, and specific training to increase employee retention and job satisfaction.)

ARCON supplies \$500 (These funds will pay for gloves specifically used when probation officers participate in the annual “refresher” ARCON trainings.)

“C” Budget – Capital Budget

\$16,000 for computer equipment, cell phones, monitors (to upgrade and replace).

There is Board consensus to accept the proposed budget and move it forward in the process with the added changes that were discussed. The workshop concluded at 11:13 a.m. An audio recording is on file in the Commissioners’ Office.

FY2025 BUDGET WORKSHOP FOR THE MISDEMEANOR PROBATION DEPARTMENT

The Board met today at 1:31 p.m. for a FY2025 budget workshop with the Misdemeanor Probation department. Present were: Commissioners Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Director of Misdemeanor Probation Jeff Breach, Other Misdemeanor Probation staff, COO Greg Rast, Facilities Director Rick Britton (arrived at 1:49 p.m.), Sr. System Analyst Steve Onofrei (arrived at 1:52 p.m.) and Deputy Clerk Jenen Ross.

Director Breach reviewed a PowerPoint presentation which addressed the following:

- Department functions and mission statement
- Accomplishments for FY24
- Top priority strategic goals & objectives for FY25
- Renovation of the old elections building
- Workload history of active probation cases
- Workload history of bench warrant cases
- Workload history community service cases
- 2024 YTD workload
- No new positions are being requested in FY25 but it’s likely a new Parole Officer position will be requested in FY26
- Revenue types and graphs
- FY25 requested ‘A’ budget is \$1,154,405; no request for COLA or merit increases at this time
- FY25 requested ‘B’ budget is \$39,948; a comparison of line items from FY24 to FY25 is included in the PowerPoint documentation

The meeting concluded at 2:15 p.m. and an audio recording is on file in the Commissioners’ Office.

FY2025 BUDGET WORKSHOP

The Board met today at 2:30 p.m. for a FY2025 budget workshop. Present were: Commissioners Brad Holton and Zach Brooks, Commissioner Leslie Van Beek participated via teleconference, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Sr. Systems Analyst Steve Onofrei, Parks Director Nicki Schwend, Assistant Parks Director Laura Barbour, Historic Preservation Officer Chelsea Boehm, Facilities Director Rick Britton, COO Greg Rast, DSD Director Sabrina Minshall (arrived at 2:36 a.m. and left at 3:11 p.m.) and Deputy Clerk Jenen Ross.

Parks, Cultural and Natural Resources department:

Director Schwend provided information about the following:

- Overview of the department
- Park locations map
- Educational programs
- Projects anticipated to rollover into FY25; there is approximately \$780,000 that was budgeted for in FY24 but will not be used until the next fiscal year, therefore it will need to be included in the FY25 budget.
- The request for a Park Supervisor to oversee Celebration Park will be delayed until next year.

Note: The Board has made a request that moving forward all initial budgets include all requests in order to have all pertinent information. Revisions can be made at a later time during the budget process.

- New GIS mapping licensing
- New publishing software
- Gun range improvements has been included in the “other improvements” line

The Board is supportive of moving this budget forward. Additional discussion ensued regarding user fees at Celebration Park; Commissioner Holton recommended having this in front of the Board prior to the start of the new fiscal year.

Consider FY2025 funding recommendations from the Historic Preservation Commission:

This year there are 9 requests from 8 agencies for Historic Preservation funding. The requests are as follows:

- **American Legion, Joseph H. Murray Post 18** – Main hall sanctuary ceiling and stage restoration
 - Requested amount is \$39,700
 - Recommended amount is \$39,700
 - Ranked priority: Urgent
- **Canyon County Historical Society** – Nampa Train Depot Museum bathrooms restoration project
 - Requested amount is \$10,400

- Recommended amount is \$10,400
 - Ranked priority: Low (HPC would like to see an evaluation of the entire building done prior to starting a project)
- **Historical Society of Middleton** – Lee Moberly Museum door repair and gutter addition
 - Requested amount is \$6,700
 - Recommended amount is \$6,700
 - Ranked priority: High
- **Idaho Civil War Volunteers** – Cannon Carriage for a Model 1841 Howitzer (some concerns about meeting application requirements)
 - Requested amount is \$8,300
 - Recommended amount is \$8,300
 - Ranked priority: Low
- **Melba Valley Historical Society** – Exterior electrical upgrade (project #1) and Exterior paint (project #2)
 - Project #1 requested amount is \$4,450; Project #2 requested amount is \$9,500
 - Project #1 recommended amount is \$4,450; Project #2 recommended amount is \$9,500
 - Ranked priority for project #1: Medium; Ranked priority for project #2: High
- **Nampa Valley Grange** – Nampa Valley Grange 131 restoration project (Year 1)
 - Requested amount is \$37,000
 - Recommended amount is \$37,000
 - Ranked priority: Urgent
- **Snake River Canyon Scenic Byway** – Audio tour/signage of historical sites and points of interest on byway
 - Requested amount is \$13,130
 - Recommended amount is \$13,130
 - Ranked priority: Low
- **Warhawk Air Museum** – Historic preservation of Global War on Terror-Iraq exhibits
 - Requested amount is \$10,000
 - Recommended amount is \$5,499 (recommendation to not fund labor)
 - Ranked priority: Medium

The Board accepted the tentative budgets as presented.

The meeting concluded at 3:32 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 3:37 p.m. to consider matters related to Indigent Services. Present were: Commissioners Brad Holton and Zach Brooks, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, Other interested citizens and Deputy Clerk Jenen Ross.

Case no. 2016-988: There has been request to lift the current lien to allow for the purchase of a home. The lien would then be placed on the newly purchased home and reimbursement payments would continue. Additionally, there has been a request to negotiate the remaining amount due to the county. This case was approved on 1/4/2017, the monthly reimbursement amount was set at \$25.00, the total medical expense paid was \$18,390.22 and the amount paid back to the county to date is \$1105 which leaves a balance of \$17,285.22; the last payment date was 5/10/24. A list of net monthly income and expenses was provided to the Board which indicates there is a remaining net monthly amount of \$1600. Ms. Baker said the applicant has sufficient funds to pay the lien in full, they do not meet the loan-to-value ratio to roll the lien into the loan. The home purchase will be made with their significant other, the amount of the loan is \$429,000, the required down payment for an FHA loan is 3.5% or \$15,015 for this particular home. There is a saving account balance of \$100,804.32. Following questions and discussion, Commissioner Brooks made a motion to deny the request to lift the lien. The motion was seconded by Commissioner Holton and carried unanimously.

Case no. 2011-138: This case was discussed earlier this week with the Board. Ms. Baker followed-up on Board questions from the previous meeting.

- Can the release of lien be recorded at the time of closing and can any portion of the lien amount be included in the loan and be paid to Canyon County at the time of closing? Yes, the release can be recorded at the time of closing. The title company said the lien will not be included in the loan itself but it will be made part of the real estate transaction therefore it will be collected from the borrower at the time of financing and paid by the title company since it is a lien on title. The title company will control the funds to ensure the lien is subsequently released so they are properly insuring all parties.

Ms. Baker reminded the Board that the requester of the lien release was not the patient, the patient was her now ex-husband. She is only responsible for the August dates of service, not October, as their divorce was final in September of 2010. The total paid out for the August dates of service was \$7184.87. The partial release of lien is very specific to releasing only one party but keeping the other party (the patient) on the lien. To date, no payments have been made on the account.

Commissioner Brooks made a motion that the county collect \$3600 from the applicant's ex-spouse and release on their behalf \$3584.87, amended motion to include that the partial release will take place at closing. At the request of the Board, Director Baker read the partial lien release language into the record. The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 3:57 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER TREASURER’S TAX CHARGE ADJUSTMENTS BY PIN FOR MAY 2024

The Board met today at 4:01 p.m. to consider the Treasurer’s tax charge adjustments by PIN for May 2024. Present were: Commissioners Brad Holton and Zach Brooks, Chief Deputy Treasurer Jennifer Watters and Deputy Clerk Jenen Ross.

Ms. Watters explained there is one large adjustment to Lumen for the 2021 taxes. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to approve the Treasurer’s tax charge adjustments by PIN for May 2024. The meeting concluded at 4:03 p.m. and an audio recording is on file in the Commissioners’ Office.

JUNE 2024 TERM
CALDWELL, IDAHO JUNE 17, 2024

CONSIDER A RESOLUTION GRANTING A TRANSFER ALCOHOLIC BEVERAGE LICENSE TO VALLEY WIDE COOPERATIVE INC. DBA VALLEY COUNTY STORE

The Board met today at 9:31 a.m. to consider a resolution granting a transfer alcoholic beverage license to Valley Wide Cooperative Inc. dba Valley County Store. Present were: Commissioners Leslie Van Beek, Zach Brooks and Brad Holton and Deputy Clerk Jenen Ross. Commissioner Brooks said he has reviewed the application and is in favor. Commissioner Brooks then made a motion to approve the resolution granting the transfer. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-127).

The meeting concluded at 9:32 a.m. and an audio recording is on file in the Commissioners’ Office.

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

The Board met today at 10:02 a.m. for a continuation of the public hearing in the matter of an appeal by Bristlecone Land Use Consulting, representing JC Excavation, of the Planning & Zoning Commission’s decision to deny Case CU2023-0002 a conditional use permit (C.U.P.) to allow a staging area use within an “A” (Agricultural) Zoning District. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, Elizabeth Allen, Juan Carlos Nieves, Harry Robinson, Barbara Harris, Constituent Services Director Aaron Williams, other interested persons, and Deputy Clerk Monica Reeves. The hearing was continued from May 29, 2024 where the Board voted to continue the hearing so Commissioner Holton could participate. Today, Commissioner Holton said he has reviewed the written record and the audio file and he is prepared to be part of the deliberation. Director Minshall gave a brief review of the case and what

occurred at the May 29th hearing. She prepared a summary of the criteria that a C.U.P. must meet and what the P&Z Commission found for each, as well as a summary that reorganized the original staff conditions that were presented to the P&Z Commission if they wanted to find in the affirmative. She reported on the surrounding properties and what code enforcement officers are observing. Commissioner Van Beek had questions for staff regarding code enforcement, and she noted the lack of need for a traffic impact study because once Highway 16 is open the increased volume of traffic on Robinson Road will make that a significant issue for this area. Regarding the other code enforcement issues in the area, she said two wrongs do not make a right and she doesn't want to fix something by placing a conditional use on it. Director Minshall said staging areas are allowed in these areas with a conditional use permit. Someone who is not in compliance will have to have a different path than someone who is asking for permission ahead of time, and the key relevance to that is can you in this case meet the criteria potentially with conditions that would condition it enough that a C.U.P. would make sense. Further discussion ensued. The Board reviewed the criteria and the proposed conditions and found the request concurs with Criteria Nos. 1-3, and 5-6, and 8. The crux of the discussion focused on Criteria Nos. 4 and 7, and the conditions. Commissioner Van Beek asked when staff was onsite to look at the worn out tires, piles of debris, dust from large equipment loading/unloading, broken down dump trucks, and junk RV trailers that are referenced in Mr. Robinson's letter. Director Minshall said what's defined here is what is eligible for a C.U.P., and if there are additional uses or storage of things that are not carried within that C.U.P. that would be an additional code enforcement issue that would have to be worked through. The request is for the allowance to do these things if approved with conditions. Staff was there relatively recently and did not witness specific things that were not related to this staging yard. If it got to the point it was outside of what is considered a staging yard code enforcement is still a valid process. Further discussion ensued. Commissioner Brooks said the premise for the opposition to the request is faulty. This is an agricultural zone that has residential in it and it's an allowed use within that zone. The Board is tasked with looking at a lot of things in agricultural zones that happen to have residential in them and a prior Board approved the expansion of a CAFO in an agricultural zone with substantially more residential in the area. This case doesn't have any of that. The road is flat and there is no problem with ingress/egress along Robinson Road at the intersection. He doesn't find the other code enforcement issues that may or may not be occurring in the area to be germane to this application. The perceived increased traffic from Highway 16 is hypothetical and it is unreasonable to attempt to make a decision based on traffic patterns in the future from the addition of an ingress/egress from the interstate where the highway district doesn't seem to be concerned. Site photos indicate the dirt is no longer staged onsite, and the applicant has proposed building a berm with a fence. He finds in the affirmative for Criteria No. 4. Another proposed condition is to end the C.U.P. when the City of Nampa reaches two sides of the property. Commissioner Van Beek said the City of Nampa does not foresee this in their comprehensive plan or their future use on the map but if we approve this it will swing that in a way that moves that direction and that's a disservice to the people who own property and live in the area. The applicant does not have anybody living there who owns the ground, and the neighbor has said it is injurious to them. Property rights extend to people who actually own the property. The applicant could find other places that have this as an allowed use that don't present a problem. A fence and berm could be a way to hide code enforcement issues rather than deal with what's on the property, and she finds this will continue to be injurious to

neighboring property owners, the City of Nampa, and the County. Commissioner Brooks said he is unaware of any criteria where property ownership is a requirement for approval of a C.U.P., or where the Board is to look at code enforcement issues or the potential for code enforcement issues on other pieces of property for the approval of a C.U.P., and he questioned bringing that information into the decision-making when it's not listed in the eight criteria. Commissioner Holton is uncomfortable with the proposed hours of operation from 8:00 a.m. to 8:00 p.m.; and he wants dust prevention methods applied to the traffic that would be on the site. If those two items are addressed he can live with Criteria No. 4. He cannot consider Highway 16 because it's theoretical and he has to rely on the highway district for their qualified opinion and they said this did not rise to a level of concern. Regarding Criteria No. 7, Director Minshall said the applicant has proposed no dirt, but the Board could require watering and dust mitigation. There was discussion regarding enforcement of dust mitigation and the use of the site, as well as the berms and sight-obscuring fencing. Following discussion the Board determined to add the following language to the proposed conditions:

- The hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday through Friday.
- The staging area will be treated and kept in a condition to mitigate dust, and no dirt shall be staged on site.
- A sight-obscuring 6-foot vinyl solid fence shall be installed along the frontage of Robinson Road, outside of any right-of-way, easements, and sight triangles. The fence must be constructed within six months of approval of the C.U.P. A site obscuring 6-foot vinyl solid fence shall be installed along the northern property line adjacent to the staging area use. The fence shall be constructed within six months of the approval date of the C.U.P.
- The applicant shall comply with the Nampa Highway District access requirements.
- The use of the staging area shall terminate at a time that Nampa city limits are touching the subject property on two sides.
- The development shall comply with all applicable, federal, state and County laws, rules, ordinances and regulations that pertain to the subject property and proposed use.
- Exterior lighting if installed shall be downward facing and directed away from surrounding properties.
- Signage shall meet all applicable requirements prior to constructing any signs on the property.
- The hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday through Friday.
- The standard language about following the land use limitations.
- The permit shall be granted only to JC Excavation. It will expire either if the business changed hands or if the property owner changed hands.

Commissioner Brooks made a motion to approve the appeal for Case No. CU2023-0002-APL and the conditional use permit as conditioned with the updated conditions that have been discussed and enumerated during today's hearing. The motion was seconded by Commissioner Van Beek and carried unanimously. Staff will prepare the FCO's that reflect today's discussions on Criteria No. 4 and No. 7 that differed from the P&Z Commission. Upon the motion of Commissioner Brooks

and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The hearing concluded at 11:28 a.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 1:30 p.m. for a continued public hearing in the matter of the appeal by Danny and Debra Cardoza of the P&Z Commission's approval of Case No. CU2022-0036, a confined animal feeding operation (CAFO) for AK Feeders, LLC, Case No. CU2022-0026-APL. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assistant DSD Director Jay Gibbons, DSD Associate Planner Debbie Root, Deputy PA Laura Keys, DSD Director Sabrina Minshall, Constituent Services Director Aaron Williams, other interested citizens, and Deputy Clerk Monica Reeves. The Board conducted a public hearing on May 30, 2024, and subsequently continued the hearing to today for deliberation. DSD staff provided the Board with the CAFO criteria for approval and development standards, as well as the proposed conditions as approved by the P&Z Commission. (Both documents are on file with this day's minute entry.) As part of the Board's deliberation, Commissioner Van Beek had questions regarding condition #11 which states "*The applicant shall not discharge CAFO process water or stormwater from the feedlot and/or settling lagoons to the Allen Drain or the Snake River. Comply with ISDA rules and regulations.*" She is concerned about the water quality of the Snake River and mitigation efforts/assurances to those people who have wells. Commissioner Brooks said he has to rely on the subject matter experts who deal with nutrient management plans. Commissioner Holton is not aware specifically about all the standards the agencies will have upon them, but he is generally aware that they will have to operate within them. Commissioner Van Beek wants to make sure the Board mitigates concerns that groundwater is not impacted by the discharge of an event, and she wants clarification on what is allowed to enter into that drain. Principal Planner Root said the Allen Drain traverses many properties, and AK Feeders is not the only entity that may discharge pollutants to the drain. There is an 8,000-head dairy nearby. Discussion ensued regarding water quality testing upstream and downstream, the design review of lagoons, and the potential for imposing additional conditions. The Board reviewed the C.U.P. criteria and concurred with the conclusions in the draft FCO's for nos. 1, 2, 3, 4, 5, 6, 7 & 8. Discussion ensued as part of the review. There was also a review of the findings of the CAFO criteria. Commissioner Brooks made a motion to deny the appeal and uphold the decision of the P&Z Commission for Case No. CU2022-0036. The motion was seconded by Commissioner Holton. The motion carried unanimously. The findings will be signed at a later date. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The hearing concluded at 2:58 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- The Polygraph Institute in the amount of \$5,995.00 for the Sheriff's Office (PO #5847)

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- County Line Wine to be used 6/23/24
- Craft Lounge to be used 6/29/24, 7/6/24, 7/13/24, 7/20/24, 7/27/24, 8/3/24, 8/10/24, 8/17/24, 8/24/24 and 8/31/24

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Kitt Gorman, Deputy Sheriff - Boating Safety
- Charles Manery, Hazardous Waste Screener
- Michael Yolton, Court Clerk II

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, Deputy P.A. Oscar Klaas, Deputy P.A. Laura Keys, Parks Director Nicki Schwend (left at 9:44 a.m.), Facilities Director Rick Britton (left at 9:44 a.m.), Cpt. Harold Patchett (left at 9:38 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Open bids received in response to the Fleet Shop HVAC Project Solicitation of Bids: Director Britton said this solicitation was put out to three vendors and two responses were received - ACCO Engineered Systems and TVR. The bids will be opened and dispersed for review. Director Britton will attend Thursday's legal staff update to provide information to the Board on the low bid received.

Open Statements of Qualification for Request for Qualifications for Architecture/Engineering Services for the George Nourse Gun Range Four-year Phased Construction Plans: Five statements of qualification were received. Statements will be reviewed by committee and a selection will be made to the Board at a later time. Bids were received from the following:

- AGROProfessionals
- Breckon Land Design
- Kimley Horn
- Slichter Ugrin Architecture, Inc.
- J-U-B Engineers

Consider Invitation for Bids for the 2024 Celebration Park Boardwalk and Decking Project; and Consider Legal Notice Inviting Bids for the 2024 Celebration Park Boardwalk and Decking Project:

This project has been budgeted in FY24. The architectural design has been received for the decking and they are now putting it out to start the IFB process to find a contractor. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the invitation for bids and legal notice inviting bids for the 2024 Celebration Park Boardwalk and Decking project.

Consider Invitation for Bids for the 2024 Celebration Park Boater Improvements Project; and Consider Legal Notice Inviting Bids for the 2024 Celebration Park Boater Improvements Project:

This is a grant project thru Idaho Parks and Rec which is funded by a gas tax and put back into boating structures and/or boating facilities. The project will allow for the renovation of the boat ramp into the water, improve the decking and provide ADA access to the decking. There is an 18% match on this grant with about ½ being in-kind. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the invitation for bids and legal notice for the 2024 Celebration Park Boater Improvements project.

Commissioner Holton asked about a brief that was submitted to the courts yesterday regarding the Crookham case. Ms. Keys indicated that legal can provide an update at an upcoming legal staff meeting. Additionally, he noted that there seems to be several land use ordinances that need to be updated, the Board asked what legal's bandwidth is for reviewing those. Mr. Rast has indicated that he's spoken with Director Minshall and it seems fall/winter is the ideal time to work thru the ordinances with possible drafts completed by the end of the calendar year.

Mr. Klaas provided an update on the request to use the DMV parking lot. A letter was sent yesterday by Constituent Services letting the requester know that the request would be denied based on the public use doctrine – using the public funds/public property for private use; there are also concerns about liability and competition.

An update will be given Thursday regarding the email received about the animal shelter.

The meeting concluded at 9:50 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:15 a.m. to consider action items. Present were: Commissioners Leslie Van Beek and Brad Holton, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons,

Code Enforcement Supervisor Eric Arthur, DSD Office Manager Jennifer Almeida, GIS Supervisor Tony Almeida, COO Greg Rast, Building Official Tom Crosby (arrived at 10:23 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Findings of Fact, Conclusions of Law, and Order for Case Nos. OR2022-0005 and CR2022-0011: Mr. Gibbons explained that this case was heard on 5/14/24 at which time there was a decision of denial. The FCOs have been updated to reflect the decision and direction provided at the public hearing. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the findings of fact, conclusions of law, and order for case nos. OR2022-0005 and CR2022-0011.

Consider resolution approving a refund to Wallace McDowell for a withdrawn application fee, Case No. SD2019-0019: Ms. Almeida stated that the applicant applied for a short-plat in April of 2019 at which time fees in the amount of \$1700 were paid. The case was assigned to a planner and it was sent to Keller and Associates for review; a charge of \$557.50 was incurred for that review. The review listed several requirements that needed to be made to the plat, those requirements were conveyed to the applicant but no revisions were made and the project sat idle for several years. The file was recently reassigned to a new planner who contacted the applicant giving them 15 days to respond on how they'd like to proceed and outlining 3 options – resubmit with revisions, withdraw or DSD would move forward with a recommendation of denial and take the project to hearing. The applicant did not respond within the timeframe so DSD proceed forward in getting ready to take the case to hearing, noticing was done, property owners were notified, and posting was completed. After the work was completed, the applicant did reply requesting to withdraw the application. Ms. Almeida did an analysis on the work that was done and is recommending a refund of \$292.50. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution approving a refund of \$292.50 to Wallace McDowell for a withdrawn application fee, case no. SD2019-0019 (resolution no. 24-128).

Consider notice of lien for abatement for property located at 18774 11th Ave N., Nampa; Parcel no. 34437010: Mr. Arthur explained an abatement was done on this property for a cost of \$8800 for weed abatement and debris/refuse removal. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the notice of lien for abatement done on property located at 18774 11th Ave N., Nampa, parcel no. 34437010.

The meeting concluded at 10:23 a.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR THE DEVELOPMENT SERVICES DEPARTMENT

The Board met today at 10:32 a.m. for a FY2025 budget workshop for the Development Services department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Sr. Systems Analyst Steve Onofrei, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, DSD Office Manager Jennifer

Almeida, GIS Supervisor Tony Almeida, Code Enforcement Supervisor Eric Arthur, Building Official Tom Crosby, Engineering Supervisor Dalia Alnajjar, COO Greg Rast, Assessor Brian Stender, Facilities Director Rick Britton, Keri Smith and Deputy Clerk Jenen Ross.

Director Minshall reviewed a PowerPoint which covered the following topics:

- Mission statement and DSD values
- Review of FTEs
- Synopsis of budget requests – overall budget request for FY25 is \$3,479,218 which is a .2% reduction from FY24; reduction of .1% on personnel-salaries; reduction of 1.0% on salaries & benefits; increase of 5.9% to the ‘B’ budget; increase of 26.6% to revenue assumptions
- Review of accomplishments
- Revenue projections
 - FY25 revenue assumption: \$2,563,501
- Comparison snapshot of the real estate market from March 2024, 2023 and 2022
- National statistics of home purchases
- Graph indicating DSD staffing for FY21-FY25
- “A” budget requests
 - No new positions being requested
 - Request to maintain FY24 budget funding levels
 - Total for new/reclassified positions is \$46,300
- “B” budget requests
 - Total requested amount is \$456,800 which is an increase of \$25,246 over FY24
 - Professional Consultants \$105,000
 - Engineers \$40,000
 - Anticipated FY24 underspending of \$50,000 in the Consultants line item
 - Abatement increased from \$25,000 to \$50,000
 - Service Contracts \$29,320
 - Education/Training \$34,000
 - P&Z Commission Fees \$21,500
 - Computer Equipment \$23,000
- Data measures by division for FY24

The meeting concluded at 12:04 p.m. and an audio recording is on file in the Commissioners’ Office.

FY2025 BUDGET WORKSHOP FOR THE FLEET DEPARTMENT

The Board met today at 1:33 p.m. to conduct the FY2025 budget workshop for the Fleet Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Fleet Director Mark Tolman, Assistant Fleet Director Dawn Pence, Auditing Supervisor Sarah Winslow,

Clerk Rick Hogaboam, Senior Systems Analyst Steve Onofrei, COO Greg Rast, Lt. Martin Flores, and Deputy Clerk Monica Reeves. Highlights from the workshop included:

- This year is the 3rd year rotation plan for offices and departments.
- Director Tolman spoke about the efficiencies associated with the decision to combine fuel in his budget. There has been a significant savings in mileage costs.

REVENUE:

The department's revenue depends on the needs from outside agencies, and needs that cannot be done outside market. Other revenue comes from vehicle auctions and insurance reimbursement for services performed inhouse and vehicle losses. There is no longer a fuel reimbursement line and it saves a ton of time.

Shop fees may slow as agencies are running out of grant funds allowing them to buy more vehicles to catch up their fleet assets. There have not been any recent fee adjustments included in projects nor are any anticipated in the upcoming fiscal year.

Through discussion about revenue amounts, the Board decided to increase the shop fees revenue amount from \$70,000 to \$150,000. The insurance reimbursement repairs line item was increased to \$35,000.

"A" BUDGET - PERSONNEL BUDGET

There are no new position requests, nor any step-in-grade adjustments or promotions from one grade to a new grade. Director Tolman will work with HR to make changes to job descriptions next year.

"B" BUDGET – OPERATING EXPENDITURES

Service contracts:

Additional 7000 to faster maint. to	\$ 7,000	
Faster Flt Management switch to WEB	\$ 76,000	onetime
AED contract yearly	\$ 1,560	
Chemical	\$ 1,000	
Additional radar replacement units (10)	\$ 15,052	onetime
Tire line add for bus and tractor tires	\$ 10,000	
Upfitting additional raise in electronics equipment and wire costs	\$279,000	
Radio equipment add 58,200 police radios	\$ 58,200	
Video in car systems	<u>\$ 96,000</u>	
	TOTAL	\$543,812

The Board wants to increase the outside parts line item to \$100,000.

"C" BUDGET – CAPITAL BUDGET

Police Vehicles \$1,000,000

General Vehicles \$ 480,000
Insurance Reimbursement Capitol \$ 150,000
Machinery (Fuel System Dispenser) \$ 46,000

The meeting concluded at 2:31 p.m. An audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR THE HUMAN RESOURCES DEPARTMENT

The Board met today at 2:48 p.m. to conduct the FY2025 budget workshop for the Human Resources Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Interim HR Director Rich Soto, Auditing Supervisor Sarah Winslow, Clerk Rick Hogaboam, Senior Systems Analyst Steve Onofrei, COO Greg Rast, and Deputy Clerk Monica Reeves. Highlights from the workshop included:

- The department does not receive any revenue.
- The Benefit and training Coordinator resigned and the position will be eliminated. They plan to create a Benefits and Workers Compensation Coordinator position to cover workers comp claims and benefits. The department plans to eliminate the Risk and Safety position and the duties will be shared by the Interim HR Director and the Chief Operating Officer.
- Training line item will be increased to \$12,000.

"A" BUDGET - PERSONNEL BUDGET

HR Business Partner #1 was recently promoted and the current salary is at the minimum salary for Grade 15. No increase is requested.

HR Business Partner #2 compensation is being increased to the mid-range of the current pay Grade 15. Current Salary: \$36.55 increased by 10% to \$40.46. Annual increase of \$8132.80. 20 years of experience and 8 years at Canyon County.

HR Business Partner #3 compensation is being increased to the mid-range of the current pay Grade 15. Current Salary: \$36.55 increased by 10% to \$40.46. Annual increase of \$8132.80. 20 years of experience and 8 years at Canyon County.

HR Business Partner #4 compensation is being increased to slightly under mid-range for the current pay Grade 15. Current Salary: \$35.02 increased by 9% to \$38.17. Annual increase of \$6552.00. 10 years of experience at Canyon County.

HR Administrative Position is a new hire at mid-range for the pay Grade 12. No increase is requested.

HR Investigator is being moved from mid-range Grade 15 to mid-range Grade 16 to align with the other Lead Investigators at the county. Current salary \$41.90 increased by 13% to \$47.34. Annual increase of \$8486.40. 26 years of experience and 6 years at Canyon County.

HR Compensation & Benefits position is at mid-range Grade 16 and no increase is requested.

The HR Department's A budget last year FY 2024 was \$606,614.12. This years A budget will be \$681,136.48. The HR Department is proposing to eliminate the vacant Risk & Safety Position which will reduce our A budget to \$582,128.00 which will be a reduction of \$24,485.64 from FY 2024.

Human Resources Risk and Safety position has been vacant since April 4, 2024. We do not believe the position needs to be filled moving forward. The delegation for the duties of this position is currently being reviewed. We are transferring the safety aspect of this position to the Facilities Department. We are also assigning the risk management duties to be shared responsibilities with the Chief Operating Officer and the Chief Civil Attorney.

The HR Risk and Safety Business Partner position is budgeted at mid-range, Grade 16 (\$99,008.00) and the HR Department will be repurposing the PCN to a HR Benefits & Workman Comp Business Partner with a salary of mid-range Grade 15 which will need an annual budgeted salary of (\$80,787.00). This repurposing of job classification will be a reduction in our budget by (\$18,221.00).

Furthermore, by repurposing the above listed job description, the HR Department will be eliminating the Benefits & Training Business Partner which will also reduce our budget requirements by (\$35,510.28.)

In conclusion, the repurposing of the HR Risk & Safety Business Partner to HR Benefit & Workman Comp Business Partner and the elimination of the HR Benefit & Training Partner will result in a total reduction of (\$53,731.28.) to the HR Department "A" Budget.

Justification for increases

HR Business Partner #2 and #3 are currently below mid-range for their pay grade. Each employee has been employed at Canyon County for (8) eight years. If they had to replace theses employees with new employees with similar experience we would start them at Grade 15 mid-range. This is why he is requesting the step-in grade adjustment.

The HR Investigator position is currently listed one pay grade below the other Canyon County Lead Investigators. The HR Investigator has been employed with the county for approximately (6) six years and has a total combined investigative experience of 26 years. His job complexity is comparable to the other Lead Investigators and their experience. On 11/29/2021 the HR Investigator was reclassified as a HR Lead Investigator and the supporting documentation,

“Employee Status Change Form” is attached. He is requesting the HR Investigator position be moved from mid-range Grade 15 to mid-range Grade 16 to reflect the proper job classification.

HR Business Partner #4 has 10 years HR experience with Canyon County. If we had to replace this employee with an employee with similar experience, we would offer mid-range Grade 15. With the 9% increase request, HR Business Partner #4 is slightly below mid-range for her pay grade.

No increase is requested for the Benefits & Compensation Manager, he is currently at mid-range for his pay Grade 16. No increase can be justified.

The total requested salary increase is \$31,304.00

“B” BUDGET – OPERATING EXPENDITURES

It was reduced slightly but they are keeping historical spending and known needs. The service contract line item is \$97,000. It was previously in the miscellaneous professional services line item.

“C” BUDGET – CAPITAL BUDGET

There are no capital items.

There is Board consensus to accept the HR budget with the additions and changes as discussed. The meeting concluded at 3:05 p.m. An audio recording is on file in the Commissioners’ Office.

FY2025 BUDGET WORKSHOP FOR THE ASSESSOR’S OFFICE

The Board met today at 3:26 p.m. to conduct the FY2025 budget workshop for the Assessor’s Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assessor Brian Stender, Assessor’s Business Manager Jennifer Loutzenhiser, Motor Vehicle Supervisor Kimbra Asqueta, Administrative Property Appraiser Supervisor Greg Himes, Certified Property Appraiser Supervisor Holly Hopkins, Auditing Supervisor Sarah Winslow, Clerk Rick Hogaboam, Senior Systems Analyst Steve Onofrei, COO Greg Rast, Facilities Director Rick Britton, and Deputy Clerk Monica Reeves. IT Director Steve Higgins (arrived at 4:30 p.m.) Highlights from the reviewed of the **Motor Vehicle budget** were as follows:

GOALS:

- Equitize pay for current staff to assist with retention
- Continue to Improve the Customer Experience, while maintaining level of customer service and continuing to adapt to ITD policy changes
- Less than 5 Min Avg Customer Wait Time
- 2nd Location in Nampa
- Ergonomic Workstations

REVENUES

ITD's Centralization has reduced the number of annual renewal transactions that are used to offset the cost of providing service to our customers. ITD has assumed responsibility of handling Internet, QR, and renewal by mail renewal transactions.

As they progress through final months of FY24, they will review transactional costs associated with in-person registration and title admin fees. Potential of a \$1 increase in the title admin fee and also a \$0.50 increase in the Registration Admin Fee.

"A" BUDGET - PERSONNEL BUDGET

No additional positions for FY25. With ITD's ongoing "Modernization" and "Centralization" it is extremely hard to forecast what our staffing needs will be next fiscal year and impossible to look further down the road.

They are currently working with HR on a reclassification front-line positions from a single "Customer Service" job description into a tiered "Motor Vehicle Specialist" position which will compensate our employees as they gain valuable experience only gained from working in a Motor Vehicle office. Listed below will be the recommend wage changes upon completion of the project.

The Reclassification project is formulated with a 10-year spread between Min & Mid and 20 years between Mid and Max.

MV Manager – PCN 538 - Range of position \$70,720-\$97,594, Midpoint \$84,157. The position is at 50% of the Grade, with 15 years in Position. Requesting an adjustment to bring Employee to \$87,516.

MV Assistant Manager – PCN 646 – Range of position \$60,320-\$83,242, Midpoint \$71,781. The position is at 33% of the Grade, with 10 years in Position. Requesting an adjustment to bring employee to \$71,781.

MV Assistant Manager – PCN 539 – Range of position \$60,320-\$83,242, Midpoint \$71,781. The position is at 10% of the Grade, with 3 years in Position. Requesting an adjustment to bring employee to \$63,759.

MV Lead – PCN 659 – Range of Position \$48,930-\$54,478, Midpoint \$51,704. This position is at 32% of the grade, with 9 years in position. Requesting an adjustment to bring employee to \$51,556.

MV Lead – PCN 647 – Range of Position \$48,930-\$54,478, Midpoint \$51,704. This position is at 4% of the grade, with 1 year in position. Requesting an adjustment to bring employee to \$49,228.

MV Specialist III – PCN 318 – Range of Position \$46,405-\$51,668, Midpoint \$49,036. This position is at 63% of the grade, with 19 years in position. Requesting an adjustment to bring employee to \$50,220.

MV Specialist III – PCN 654 – Range of Position \$46,405-\$51,668, Midpoint \$49,036. This position is at 33% of the grade, with 10 years in position. Requesting an adjustment to bring employee to \$49,172.

MV Specialist III – PCN 989 – Range of Position \$46,405-\$51,668, Midpoint \$49,036. This position is at 20% of the grade, with 6 years in position. Requesting an adjustment to bring employee to \$47,984.

MV Specialist III – PCN 290 – Range of Position \$46,405-\$51,668, Midpoint \$49,036. This position is at 20% of the grade, with 6 years in position. Requesting an adjustment to bring employee to \$47,984.

MV Specialist III – PCN 658 – Range of Position \$46,405-\$51,668, Midpoint \$49,036. This position is at 13% of the grade, with 4 years in position. Requesting an adjustment to bring employee to \$47,458.

MV Specialist II – PCN 651 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 7% of the grade, with 2 years in position. Requesting an adjustment to bring employee to \$42,244.

MV Specialist II – PCN 987 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 7% of the grade, with 2 years in position. Requesting an adjustment to bring employee to \$42,258.

MV Specialist II – PCN 665 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 10% of the grade, with 3 years in position. Requesting an adjustment to bring employee to \$42,545.

MV Specialist II – PCN 661 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 7% of the grade, with 2 years in position. Requesting an adjustment to bring employee to \$42,258.

MV Specialist II – PCN 655 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 10% of the grade, with 3 years in position. Requesting an adjustment to bring employee to \$42,545.

MV Specialist II – PCN 292 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 10% of the grade, with 3 years in position. Requesting an adjustment to bring employee to \$42,545.

MV Specialist II – PCN 988 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 3% of the grade, with 1 years in position. Requesting an adjustment to bring employee to \$41,971.

MV Specialist II – PCN 986 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 3% of the grade, with 1 years in position. Requesting an adjustment to bring employee to \$41,971.

MV Specialist II – PCN 656 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 3% of the grade, with 1 years in position. Requesting an adjustment to bring employee to \$41,971.

MV Specialist II – PCN 291 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 3% of the grade, with 1 years in position. Requesting an adjustment to bring employee to \$41,971.

MV Specialist II – PCN 837 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 3% of the grade, with 1 years in position. Requesting an adjustment to bring employee to \$41,971.

MV Specialist II – PCN 293 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 3% of the grade, with 1 years in position. Requesting an adjustment to bring employee to \$41,971.

MV Specialist II – PCN 317 – Range of Position \$41,684-\$46,405, Midpoint \$44,554. This position is at 0% of the grade, with 0 years in position. Requesting an adjustment to bring employee to \$41,684.

The 5-month Temp Position that has been vacant for several months now. They are cautious to rehire with an uncertain future but wish to hold onto position in FY25, in the event transactions continue to remain strong in our office.

“B” BUDGET – OPERATING EXPENDITURES

- FY24’s Budget they replaced a Multi-Function Printer, No Additional for FY25
- FY25 – Need to Happen
 - Improve Light Fixtures
 - Replace Flooring in breakroom and bathrooms, counters
 - Widen Parking lot entrance – south entrance
- FY25 – Uncertain future of Motor Vehicle Office, but it needs addressed
 - Remodel East Wing Desks with more room and ergonomic design
 - Remodel Lobby Area

“C” BUDGET – CAPITAL BUDGET

Human Capital – Employee Retention	\$130,000
Improve Lighting	\$10,000
Breakroom and Employee Bathroom Project	\$5,000
Widening Parking Lot – South Entrance	\$15,000
Remodel East Wing Desks	\$50,000

Remodel Lobby Area \$5,000

There was discussion about moving some funds to the Facilities budget since there might be some duplications in the capital project items.

Highlights from the review of the **Assessor's Reappraisal budget** were as follows:

REVENUES

The Reappraisal Office generates minimal revenue. Typically, they have generated revenue in the past with sales information from our plat room. This is diminishing as more and more data is deemed "Public" information.

Assessor Stender expects minimal revenue generation from this office in FY25, they will be down to only charging for customized map creation soon. They do not anticipate any fee adjustments in the upcoming fiscal year.

"A" BUDGET - PERSONNEL BUDGET

They are only requesting additional temp staff for FY25, but parcels counts are pointing to the necessity of additional staff in the future. We will use technology as much as possible to delay additional human capital but once certain thresholds are met additional staff will be required. The Temp staff will possibly be a summer intern to create SQL Reports. The Assessor has also updated costs of the part-time staff.

\$160,000 has been added to budget line 103-38-280-14-413080 for step-in-grade adjustments and promotions from one grade to a new grade. It is in progress with HR.

One Commercial Appraiser position has been unfilled. Once the position reclassification project is completed they will advertise this position.

"B" BUDGET – OPERATING EXPENDITURES

- 521101 – Increased \$100,000 for External Legal Representation for D.C. Case
- 521120 – Increased \$265,000 for Aerial Imagery Flight
- 248014 – Increased \$15,000 for Bi-Annual Contribution to IAC - Litigation Fund
- 682270 – Adjusted to \$50,000 for Store Front Glass in Front Office / Plat Area
 - o Move to Facilities?
- 682270 – Adjusted to \$20,000 for Glass Dividers between Employees – Appraiser Department
 - o Move to Facilities?
- 684330 -- Adjusted to \$35,000 for 1 additional SUV for Reappraisal Department
 - o Move to Fleet?

"C" BUDGET – CAPITAL BUDGET

- Store Front Glass – Security and Safety of Employees \$50,000
- Glass Dividers – Noise Reduction \$20,000
- 1 Multi-Function Printer – Recommended by IT \$10,000
- Reappraisal SUV \$35,000
- Aerial Imagery – County Wide Ortho and Obliques (Not Urban Only) \$265,000

There was discussion regarding the Assessor's plan to update their outdated software package. It will be very expensive and he was hoping to use fund balance to pay for it, but if the estimated fund balance amount of \$500,000 is all there is it will not be enough to cover the expense. (Estimated costs are between \$5 million and \$8 million.) The meeting concluded at 4:59 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2024 TERM

CALDWELL, IDAHO JUNE 20, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Williams Hopkins, Deputy Sheriff Inmate Control
- Alejandra Guerrero, Deputy Sheriff Inmate Control
- Stephanie Campbell, Emergency Communications Officer I

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, Deputy P. A. Zach Wesley, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas, Director of Constituent Services Aaron Williams, Facilities Director Rick Britton (left at 9:40 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Agreement for Noxious Weed Control with the Idaho Transportation Department, Division of Highways District No. 3: Ms. Keys explained this is an annual standard agreement. The rates have been adjusted to match current rates. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement for noxious weed control with the Idaho Transportation Department, Division of Highways District No. 3 (agreement no. 24-047).

Consider Gopher Control Cooperative Agreement with the Idaho Transportation Department, Division of Highways District No. 3: This is also an annual standard agreement. Director Britton said there is minimal work done for gopher control. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the gopher control cooperative agreement with the Idaho Transportation Department, Division of Highways District No. 3 (agreement no. 24-048).

At the legal staff meeting on Tuesday, June 18th bids were received for the Fleet Shop HVAC project, those bid amounts were as follows:

- TVR, \$104,500
- ACCO, \$81,442

This project is based on low-bid and Director Britton will work with legal to evaluate both submissions.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:40 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. 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, Deputy P. A. Zach Wesley, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas and Director of Constituent Services Aaron Williams. The Executive Session concluded at 10:11 a.m. with no decision being called for in open session.

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

FY2025 BUDGET WORKSHOP FOR PUBLIC DEFENDER'S DEPARTMENT

The Board met today at 10:35 a.m. for a FY2025 budget workshop for the Public Defender's department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Chief Public Defender Aaron Bazzoli, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Bazzoli reviewed the following with the Board:

- Public Defense will transition to a state system on October 1, 2024.
- Based on statutes signed in the spring, counties will need to continue to fund attorneys for the Guardian Ad Litem which is a program that represents children in child protection cases as well as some other civil cases. Counties will have to front this cost and seek reimbursement annually from the state. \$300,000 has been allocated in the conflict attorney line for this expense; \$500,000 has been set aside by the state for reimbursement state-wide.
- The state has obligated counties to pay the cost of transferring up to 40 hours of sick time and up to 40 hours of vacation for every county public defense employee employed on 9/30/24. Remaining balances up to the 240 hours will need to be cashed out. This dollar amount won't really be able to be pinned down until closer to October. Approximately \$400,000 has been reserved in the budget to account for this expense.
- Mr. Bazzoli read into the record items counties will still be responsible for including certain transcripts, evaluations and interpreters; these expenses have been accounted for in the TCA budget.

Discussion ensued regarding the Guardian Ad Litem program and the funding allocated by the state for that program. Commissioner Holton indicated he would like to go into executive session to discuss further.

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

Commissioner Van Beek made a motion to go into Executive Session at 11:04 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. 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 Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Chief Public Defender Aaron Bazzoli and COO Greg Rast. The Executive Session concluded at 11:32 a.m.

Following the executive session, Commissioner Holton noted that the Board would like to change the title of line item 521128 from 'Conflict Counsel' to 'Guardian Ad Litem'. The Board is accepting this draft budget as-is and will work toward some other adjustments.

The meeting concluded at 11:33 a.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE § 74-206(1) (A) REGARDING PERSONNEL MATTERS

Commissioner Van Beek made a motion to go into Executive Session at 11:37 a.m. pursuant to Idaho Code, Section 74-206(1) (a) regarding personnel matters. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Rick Hogaboam, Chief Deputy Sheriff Doug Hart, Interim HR Director Rich Soto, Chief Public Defender Aaron Bazzoli, COO Greg Rast and HR Director Candidate. The HR Director Candidate left the meeting at 12:20 p.m. The Executive Session concluded at 12:43 p.m. with no decision being called for in open session.

Commissioner Holton adjourned the executive session and noted the Board would reconvene at 1:15 p.m.

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

ACTION ITEM: CONSIDER SIGNING PROCLAMATION HONORING THE VALOR AND SACRIFICE OF IDAHO LAW ENFORCEMENT OFFICERS AND FAMILIES EVERY MAY DURING NATIONAL POLICE WEEK

The Board met today at consider signing a proclamation honoring the valor and sacrifice of Idaho Law Enforcement Officers and Families every May during National Police Week. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, PIO Joe Decker, Director of Constituent Services Aaron Williams, Communications Specialist Chad Thompson, other interested personnel, and Deputy Clerk Monica Reeves. The proclamation dedicates the Friday of National Police Week each year as Canyon County Law Enforcement Memorial Day to honor Idaho's fallen officers who paid the ultimate price in pursuit of upholding justice for our community. This day will be forever memorialized with the Canyon County-sponsored "Canyon County Law Enforcement Memorial Ceremony" at the Canyon County Fair Facility, The Center. Following comments by Sheriff Donahue as well as the reading of the proclamation in its entirety by Commissioner Van Beek, Commissioner Holton made a motion to sign the proclamation. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 1:29 p.m. An audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP FOR THE SOLID WASTE DEPARTMENT

The Board met today at 1:35 p.m. to conduct the FY2025 budget workshop for the Fleet Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Solid Waste Director David Loper, Landfill Operations Manager Daniel Pecunia, Auditing Supervisor

Sarah Winslow, Clerk Rick Hogaboam, Senior Systems Analyst Steve Onofrei, COO Greg Rast, Parks Director Nicki Schwend, Outdoor Recreation Planner Alex Eells, Facilities Director Rick Britton, IT Director Steve Higgins, and Deputy Clerk Monica Reeves. Highlights from the workshop included:

REVENUES

The overall direction of the Canyon County Solid Waste (CCSW) budget appears to be increasing for FY2025. So far for FY 2024, CCSW budget is down slightly from FY 2023. This is likely due to the unseasonable cold and wet winter/spring. The revenue appears to be catching up this spring and it is hopeful that we will be close to FY2024 projections. The trend may continue upward for FY2025 budget cycle. The influencing factors are population growth and the economy, especially related to construction and housing. Please see the attached tonnage chart. During FY 25 new fee/rate adjustments will be implemented. The standard tipping fee will be adjustment upward to plan for future expenses and also a discussion on special wastes, hard to handle waste, late fees, out of county waste, etc. is warranted.

Landfill total projected revenue for FY2025: \$10,292,875

FY2025 Fee schedule projected increase: \$1,800,000.

Per COO Rast, \$96,000 was added to the Sheriff's budget for the purchase of land from the enterprise fund so we should reflect that amount in the landfill revenue.

"A" BUDGET – PERSONNEL BUDGET

Director Loper reviewed his plans for reorganization of the department which includes at 12-hour shift for employees. He is requesting two new fulltime employees:

- Deputy Director, succession planning, providing a variety of supervisory, planning, budgeting, directing and coordinating landfill activities.
- Senior Landfill Administrative Specialist, succession planning for office manager position, accounts receivable, accounts payable, month end, assisting the office manager on the day to day operation of fee collection, IT services, etc.

There was a review of the reorganizational chart of the department and reclassification requests. They have moved the operators to a 12-hour work shift to improve operational efficiencies. There is a request to move the screener/operator position from Grade 11 to Grade 12 as it will be a better fit within the hiring structure. It is a step up from the screener position and serves as an "operator" in training. There was discussion about increasing salaries the salary of the heavy equipment operators. The Board is supportive so Director Loper will discuss it further with HR.

"B" BUDGET – OPERATING EXPENDITURES

The FY25 "B", budget is less than the FY23 and FY24 budgets. The last couple of years there have been significant costs related to land acquisition, installation of capital projects such as the landfill gas collection system and flare station, dust control system and asphalt projects. In FY25 they will increase fees to plan for future costs and rebuild the reserve accounts for future infrastructure needs. There was discussion regarding recycling waste and wood waste.

“C” BUDGET – CAPITAL BUDGET

New Transfer or Water truck	\$250,000
Re-build 836K Compactor	\$750,000
Truck Replacement	\$ 50,000
Asphalt Patch Work & Crack Sealing	\$ 75,000

There will be further discussion at a later date regarding:

- The interest in the reserve account.
- The \$35,000 debit from the Solid Waste account to the Parks Department related to Jubilee Park. Clerk Hogaboam said the transfer has been occurring for the past 8 years but Director Schwend said she was not aware of the revenue being transferred to her department.
- Landfill expansion.

There is Board consensus to move the budget request forward. The meeting concluded at 2:38 p.m. An audio recording is on file in the Commissioners’ Office.

FY2025 BUDGET WORKSHOP FOR THE FACILITIES DEPARTMENT AND THE WEED AND PEST DEPARTMENTS

The Board met today at 2:45 p.m. to conduct the FY2025 budget workshop for the Facilities Department and the Weed and Pest Departments. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Office Manager Becky Kearsley, Weed & Pest Superintendent Corey Flatt, Sr. Admin. Specialist Becky Siino, Auditing Supervisor Sarah Winslow, Clerk Rick Hogaboam, Senior Systems Analyst Steve Onofrei, COO Greg Rast, Parks Director Nicki Schwend, Outdoor Recreation Planner Alex Eells, IT Director Steve Higgins, Captain Harold Patchett, and Deputy Clerk Monica Reeves. Highlights from the **Facilities** workshop included:

REVENUES

A notable addition to the financial records is the introduction of revenues stemming from assuming maintenance responsibilities for the Canyon County Ambulance District. This expansion of services has led to the incorporation of a new line item, reflecting income generated from the service contract. These revenues are attributed to the provision of maintenance services rendered, marking a significant development in the organization's revenue stream. Anticipated revenue for fiscal year 2025 is expected to total \$32,000, supplemented by seasonal costs from snow removal, parts and extra housekeeping services. This projection reflects the revenue generated from these activities, contributing to the financial outlook for the year.

No fee adjustments are anticipated for FY2025.

“A” BUDGET - PERSONNEL BUDGET

New and Reclassified Positions - \$276,024.12

Backflow certification pay - \$3,913.53

- Employees with backflow certification receive an additional 50 cents per hour, while outside contractors charge \$108 per hour plus a \$50 administrative fee, totaling \$158. Our campus has 60 backflow units, and if we offer the 50 cents hourly increase, it will cost us \$1,304.51 annually for each certified employee, totaling \$3,913.53 for all three. In contrast, hiring outside contractors would cost \$9,480, creating a savings of \$6,360 per year by keeping the certification in-house. This shows that it is cost effective to offer the certification pay to employees instead of outsourcing.

Journeymen Apprenticeship Certification Pay - \$5,202.46

- 1 Electrical 2nd Year Apprenticeship (Finished 5/2024) - \$2,601.23
- 1 HVAC 1st Year Apprenticeship (Finished 5/2024 - \$2,601.23

Specialty Pay - \$2,601.23

- Brandon Barker is the Lead Carpenter and oversees construction and carpentry projects, managing teams, and ensuring that tasks are completed according to the project plan.

New Position - Project Manager - \$112,208.31

- New Position Project Manager

New Position - Maintenance Technician - \$68,191.44

- Due to the increased workload caused by the addition of new Paramedics
- buildings, a new Warehouse, and an Elections facility, there is now more
- square footage to manage and more acres of landscaping to maintain.
- Additionally, Gabby Field adds maintaining a total of 8 acres.
- Midpoint \$44,553.60 Position 1 - \$68,191.44

New Position - Safety Coordinator - \$83,907.15

- The Safety Coordinator helps improve the overall safety of the workplace. Their duties include accessing safety, enforcing safety standards and educating employees. Further duties include documentation and training, assessing the skills of the employees and delivering training needs, as well as managing the intake, handling and storage of documentation for the organization. COO Rast said the HR Department had a safety and risk manager and we have decided to split that up throughout the County so the risk shared between the BOCC and Legal, and the COO as well as other offices/departments, then shifting safety into the Facilities Dept. which turned into a request for a safety coordinator. The risk and safety manager position will be repurposed to a fulltime benefits administrator and removing the part-time position.

Over-Time - \$75,000 - Increased by 15K this year

- Weekend work for Parks on the weekend (Sat and Sun) June 1st to Oct 31st

- Weekend events at the Old Fairgrounds and Expo Center
- Full Fair Set-up for the Canyon County Fair
- On-Call for Adult Jail's
- On-Call JDC
- On-Call

On Call Pay - \$61,009.23 (includes 2 new positions) The On-Call rotation policy has been established to ensure a Facilities employee will always be available after-hours to address emergency issues and ensure the needs of the County are met in a timely manner.

"B" BUDGET – OPERATING EXPENDITURES

521101 – Professional consultants – \$20,000

- Consultant Fees for upcoming Projects \$20,000

521106 – Architects - \$60,000

- Architect design fees for New Parking Lot - \$60,000

521109 – Engineers - \$15,000

- Engineering cost for Annex Jail Demo
- Courthouse remodel

521120 – Misc Professional Services - \$17,000

- Specialty services for new projects \$17,000
- Atlas and other testing contractors

531101 – Water/Sewer - \$205,000

- Increase of 6% from City of Caldwell \$11,225
- New Warehouse Building \$2,500
- New Elections Building \$4,000

531102 – Irrigation - \$26,000

- Irrigation increased due to New Warehouse and New Elections Buildings

531130 – Idaho Power - \$687,000

- 6% increase for FY25 \$37,627
- New Warehouse \$5,000
- New Elections \$17,400

531104 – Intermountain Gas - \$113,500

- 6% increase \$7,000
- New Warehouse Building \$2,000 floor heat
- New Elections Building \$4,000

533301 – Service Contracts - \$58,500

- Acco service \$11,836
- Northwest Powers \$17,500
- SunBelt \$25,235
- GIS \$500
- desktop alert renewal \$3,350

533302 – Elevator Maintenance - \$51,000

- Young Elevator Service Contract \$26,000
- Elevator Maintenance \$25,000

533309 – Fire Alarm Services - \$56,000

- 8.5% increase
- Fire Alarm Testing
- Fire Sprinkler Testing
- Fire Extinguisher Testing and recertification
- New Elections
- New Warehouse
- Building Alarm Monitoring

542203 – Cellular Phone - \$28,5000

- New staff and existing staff with cell phones and accessories
- Time to upgrade a few phones \$50 each we have 13 \$650

542215 – Satellite Equipment - \$15,000

- Cable TV cost -Countywide switching to Dish network

546610- Education and Training - \$24,732

- 546610 Training (\$19,729) Facilities
- Western Detention Training for Kyle Strempe approx. \$1950
- Horticulture Expo Grounds approx. \$1050 training
- CEU's for Electrical -\$400
- Certified Safety Manager - Guy Bollinger \$1995
- Micro Main Training 8 Hour On-Line for several employees on new system \$1914
- CWI for Nate (electrical), Jordan (HVAC), and Jacob (electrical) \$4800 (training & books)
- CPR training for 47 - \$2820 (\$60 per person) Training in November
- Backflow Recertification - Les Johnson - December 2024 \$300 (\$300 training)
- Supervisor Leadership Trainings \$3500
- Ornamental Training for Grounds Fall 2024 - no charge
- Auto Cad and Design Training for Rick \$1,000
- Safety training \$5,000

554400 – HVAC Systems - \$70,000

- Air Filters
- Replacement HVAC equipment under \$5,000
- Freon, ducting, return air, and supply vents
- New Warehouse
- New Elections

554401 – Building Supplies & Materials - \$96,996

- Materials purchased for the upkeep of the buildings such as furniture, lamps, ceiling tile, carpet,
- fixtures and Etc.
- New Warehouse Building
- New Elections Building
- Fair Grounds added to Budget \$10,000
- Parks added to Budget \$5,000
- New work station, lower and upper cabinets for Museum \$2,500

554402 – Ground Maintenance Supplies - \$137,004

- Fertilizers
- Lawn Food Programs
- Annual plantings
- Replacement trees, Bark, shrubs and bushes and sod
- Sprinkler system upgrades, replacements and repairs
- Ice melt, Liquid De-Icer, Snow shovels, Spreaders
- Added building to maintain both in winter and summer and price inflation
- New Warehouse Building
- New Elections Building
- Fair grounds budget \$15,000
- Parks grounds budget \$47,000

554404 – Keys and Locks - \$9,000

- Lock replacements for outdated locks
- New Closures
- Keys Replacement of Jail Keys
- Key blanks
- Badge access
- 2 new buildings
- Cost of product has increased

554405 – Security Systems - \$27,000

- Camera replacements courthouse and County wide

- Wire and connectors
- Hardware and Mounts
- Battery back ups
- Panic buttons
- Alarm systems

554410 - Janitorial Supplies - \$77,000

- Price increase for cleaning product.
- 6 New equipment Vacuums \$3,000
- New Warehouse Building
- New Elections Building
- Parks Budget \$10,000
- Fair Budget \$ 10,000

554418 - Jail Repair & Maint Supplies - \$95,000

- New line item 3rd year to track Jail expenditures for Dale Haile, Annex, Pod 5, and Pod 6
- Added budget number for maintenance and repair work.
- Increased from last year by \$15,000.00 last year was at \$80,000

554420 – Shop Supplies - \$50,000

- Items purchased in larger quantities to be used across multiple small projects. For example, purchasing a bulk package of screws, connectors, or a spool of wire to cover several individual outlet installations

554438 – Batteries - \$6,500

- Batteries for Facilities, Janitorial, grounds and security
- Replace batteries in UPS systems

554445 – Uniforms- \$12,500

- Increased budget for added staff \$12,500

554455 – Pest Supplies - \$20,500

- Western Exterminator Service Contract \$20,500

554491 – SWJDC Repair & Maint Supplies - \$28,000

- New line item to track Juvenile Detention Center expenditures
- Added budget number for maintenance and repair work

577100 – Computer Equipment - \$18,684

- IT recommending replacing computers & laptops that have met the end of their useful service life.
- Added equipment for new position.
- New printer in Maintenance shop

577110 – Software - \$10,000

- Software Licensing for:
- AutoCAD
- MicroMain \$4,536
- Continental
- Alarm Lock
- Lennel
- New Elections Building ISR

“C” BUDGET – CAPITAL BUDGET

Remodel and Equipment Costs - \$2,194,296.61

DSD glass installation, sound proofing, lighting	\$16,069.35
Crime Lab add ballistics room	\$7,500 (grant reimbursable)
Juvenile Probation remodel	\$6,500
Juvenile Det. Cntr. locks, remodel, flooring, speakers	\$24,000
Fleet Convert old T5 fixtures to LED	\$5,750 (Idaho Power rebate)
Assessor finish cabinets	\$7,500
Building Maint. for automatic openers	\$12,430.08
Parks insulation and heater, and parking lot lights	\$26,500
Building Maint. Engraver cutter, press brake	\$11,400
Parks drinking fountain	\$6,000
Grounds mower broom, bucket, snow plow	\$17,025
Building Maint. new awning for shop	\$25,000
Jail control room upgrade	\$75,000
Misdemeanor Probation (move to Elections bldg.)	\$150,000
DMV remodel	\$23,050 (possible rebate)
Assessor storefront glass, glass for cubic walls	\$65,794.18
Old Fair Bldg. Roof	\$166,000
DMV new HVAC	\$23,900
Jail new HVAC units	\$26,400
Jail kitchen flooring	\$151,400
Bldg. Maint. fire sprinklers	\$250,000
Bldg. Maint. elevator changes	\$190,000
Pod 6 upgrades	\$500,000
Sheriff's gun range	\$150,000
<i>(This expense will be moved to the justice fund for property being purchased from the enterprise fund)</i>	
Building Maint. seal coating, restriping	\$28,648
DMV parking lot expansion, concrete repair	\$20,000 (may be paid from FY2024)
Grounds mower for parks	\$34,150
New training tables/chairs	\$28,680

New Elections Bldg. furniture	\$22,000
Jail new boilers	\$150,000

There will be another workshop to discuss the capital projects and which funds they should come out of. Commissioner Van Beek wants to look at the long-term facility needs and capital improvement projects of the County and she wants to set aside \$2M for a potential property acquisition. The Board accepted the budget request as a draft with another workshop discussion to follow.

The Facilities workshop concluded at 3:54 p.m.

Highlights from the **Weed Department** workshop included:

Director Britton assumed responsibility for the Weed and Pest Departments in 2023.

REVENUES

With added staff and training they estimate a 10% increase in revenues. The fees were updated in 2024 and they do not anticipate upcoming adjustments.

Increased Revenues from \$120,000 to \$132,000

“A” BUDGET – PERSONNEL BUDGET

New Position - Weed Technician - \$77,979.20

- Due to the increased workload caused by additional weed, hay, mowing and owl box work orders there is enough revenue and work to justify an additional position in this department. The position will benefit the revenue side of things for the department and will pay for itself.

COO Rast said a market analysis was done on Director Britton’s position for the additional responsibilities he has taken on, and he is recommending Director Britton receive a \$10,000 salary adjustment. The Board supports the request.

“B” BUDGET – OPERATING EXPENDITURES

531103 – ID Power - \$3,000

- 6% increase from Idaho power

531130 – Service Contract - \$2,500

- Treasure Valley Coffee, Water \$600
- GIS Services 1,900

542003 – Cellular Phone - \$3,996

- Cell phones for the employees
- Cellular service for 3 laptops \$3,600

- New position 1 added phone \$900

546610 – Education and Training - \$3,500

- Further education for License staff & License for part-time
- New staff

554403 – Repair and Maint Supplies - \$5,000

- New spray nozzles & hoses for spray vehicles
- New spray gun

554445 – Uniforms - \$5,796

- Uniforms - Cintas split with Pest \$6,000

554450 – Chemical Supplies - \$105,000

- Chemical for spraying increased by \$20,000 due to added staff and price increase \$85,000

577100 – Computer Supplies - \$13,100

- Recommended to replace by IT. \$10,000
- New Laptops to fill out field reports on the job. \$2,100
- Mounting bracket for laptop in truck \$1,000

“C” BUDGET – CAPITAL BUDGET

Upfit new spray truck with new spray equipment: \$30,000

The Weed Department workshop concluded at 4:10 p.m.

Highlights from the **Pest Control Department** workshop included:

“A” BUDGET – PERSONNEL BUDGET

There is one seasonal employee in the department. No new positions are requested.

There was discussion regarding comp time and overtime for the Weed and Pest Departments. COO Rast’s preference is to go to overtime and have it pay out as used, but he would like to hear from the Auditor’s Office because it’s a liability holding on the books on comp time that’s eventually just paid out. Commissioner Van Beek prefers overtime pay as opposed to banking it that they may not get to use or potentially lose. Clerk Hogaboam said this is a bigger policy decision that affects the County as a whole. Commissioner Holton agrees. Further discussion is needed.

“B” BUDGET – OPERATING EXPENDITURES

413065 – Seasonal - \$18,500

- Seasonal position \$18,500

531103 – ID Power - \$3,000

- 6% increase from Idaho power

531130 – Service Contract - \$2,500

- Treasure Valley Coffee, water for office \$600
- GIS Services 1,900

542003 – Cellular Phone - \$4,000

- Cell phones for the employees
- Cellular service for 3 laptops \$3,600
- New position 1 added phone \$900

548370 – Gopher Bounty – 25,000

- Gopher Bounty for public to bring in Gopher tails for \$1 a piece

554445 – Uniforms - \$5,800

- Uniforms - Cintas split with Weed \$5,800

554499 – Owl Nest Supplies - \$15, 000

- Will build roughly 57 owl boxes at \$260 apiece. \$15,000

577100 – Computer Supplies - \$13,100

- Recommended to replace by IT. \$10,000
- New Laptops to fill out field reports on the job. \$2,100
- Mounting bracket for laptop in truck \$1,000

“C” BUDGET – CAPITAL BUDGET

No capital projects are requested.

The Board accepted the draft budgets with the changes and agreed to move them forward. Another workshop will be held. The meeting concluded at 4:24 p.m. An audio recording is on file in the Commissioners’ Office.

JUNE 2024 TERM

CALDWELL, IDAHO JUNE 21, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Jacob King, Assessor GIS Analyst, rehire
- Ashlyn Whalen, Juvenile Probation Officer I, new hire

- Ryan Gehring, Juvenile Probation Division Supervisor, new hire

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for to be used:

- Eastside Tavern to be used 7/13/24 for the Zubaly wedding
- Raising Our Bar to be used on 7/6/24 for the Serdar wedding
- Raising Our Bar to be used on 7/8/24 for the Leach wedding
- Raising Our Bar to be used on 7/13/24 for the Cockrum wedding
- Raising Our Bar to be used on 7/20/24 for the Fennell wedding
- Raising Our Bar to be used on 7/21/24 for the Inglis wedding
- Raising Our Bar to be used on 7/26/24 for the Nampa High School reunion
- Raising Our Bar to be used on 7/27/24 for the Pooley wedding

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Apex Integrated Security in the amount of \$5806.84 for the Facilities department (PO #6033)
- DataBank in the amount of \$83,725.70 for the Information Technology department (PO #6045)
- Project Manager.com in the amount of \$17,164.22 for the Information Technology department (PO #6046)
- Elevate in the amount of \$31,560.00 for the Information Technology department (PO #6047)

FY2025 BUDGET WORKSHOPS

The Board met today at 9:32 a.m. for FY2025 budget workshops for the Information Technology department and the Trial Court Administrator. Present were: Commissioners Leslie Van Beek (left the meeting at 11:26 a.m.), Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Director of Court Operations Jess Urresti, IT Director Steve Higgins, Project Manager Shawn Adamson, Business Manager Caiti Pendell, Operations Manager Jairo Rodriguez, Development Manager Steve Webb, Interim TCA Benita Miller, Family Court Services Manager Chris Paulson, Deputy TCA Laura Denner, Jury Commissioner Christina Jeffes, Other TCA personnel and Deputy Clerk Jenen Ross.

Director Higgins read the IT mission statement into the record, addressed revenue and reviewed budget line items with significant changes as follows:

- No changes to revenue sources; revenue will remain the same at FY24 at \$10,600
- 'A' budget:

- 412030, regular employees, \$322,809 increase
- 413050, part-time, position was previously funded thru budget savings and now requesting the part-time position in the print shop to be fully funded.
- 413080, new/reclassified positions: new Information Security Officer, salary increases for the Business Manager, System Administrator I, Network Administrator and the Operations Manager
- 'B' budget:
 - 521101, professional consultants, \$7501 increase primarily due to the Microsoft 365 project
 - 521120, misc. professional services, \$11,074 increase
 - 521122, voice and data wiring, \$8000 increase
 - 533301, service contracts, \$66,648 increase
 - Increases to 545501, meals; 545503, taxi; 545505, hotel; 545507 air fare; 546610, education and training – all directly related to education and trainings
 - 551131, computer paper, \$6996 increase
 - 577100, computer equipment, \$26,904 increase
 - 577110, software, \$6,000 decrease
 - 577120, small office equipment, \$6096 decrease
 - 577138, communications equipment, \$53,507 increase

Discussion ensued regarding the salary adjustments

- 'C' budget:
 - 680421, computer/networks/software, \$24000 decrease
 - 684220, office equipment, \$17,100 increase
 - 684221, computer network software, \$58,000 increase
 - 684240, computer equipment, \$15,000 increase

The Board concurred to move the Information Security Officer position salary from \$90,000 to \$99,000.

The Board is accepting this budget as the first draft.

A break was taken from 10:29 a.m. to 10:36 a.m.

Ms. Miller reviewed a PowerPoint presentation which covered the following:

- TCA divisions and roles
- FY2024 accomplishments and highlights
- Review of donated jury fees - The Board is supportive of adjusting the jury fees line item to \$90,000.
- FY2025 request priorities

- Equity pay adjustments – two staff attorneys and one marshal who has been serving as a Deputy Chief Marshal, Court Assistance Officer
- New positions – full time jury clerk, one position in the court assistance office, bring the two temporary/part-time marshals to full time plus two additional part-time marshals.
- Promotion
- Staff training – training for the judicial assistants
- Line items with significant changes included the following
 - **District Court**
 - 521103, Doctors - \$150,000 (moved from PD budget)
 - 521114, Psycho/sexual evaluations - \$40,000 (moved from PD budget)
 - 521123, Capital crimes expenses - \$10,000 (Ms. Miller feels this will be removed from the county budget and accounted for in the state budget once they take over public defense)
 - 548013, Transcript fees - \$37,917
 - 548900, Reserves - \$24,996
 - 552221, West Law -\$17,004
 - Requested amount of \$8400 will be moved from fund Computer equipment (684240) to Computer equipment (577100)
 - 545501, Meals - \$3500 to account for the magistrate commission, legislative gathering in December or if there is a new judge, judicial council or magistrate judge. Clerk Hogaboam feels that for these types of events, the newly created 'hospitality' line may be more appropriate.
 - **Family Court Services**
 - Both revenues and expenses are reduced in this budget
 - **Court Device Fund**
 - Continues to build each year
 - Fund is used for interlock devices
 - **Court Facilities**
 - 682270, Capital construction contracts - \$100,000
 - **Mental Health Court**
 - Slight decrease to revenue
 - 521102, UAs – increased to account for additional clients and drug testing fees
 - 521111, Incentives – increase of \$750
 - **Drug Court**
 - No additional funds being requested from the county for drug testing
 - **Misdemeanor DUI Court**
 - Adjustment made for fee collection
 - **Veterans Treatment Court**
 - Adjustment made for fee collection

- **Juvenile Drug Court**

- Some revue from cigarette taxes
- Only request is for meals
- 522225, Community incentive, re-entry & mental health - \$15,000

The Board is in favor of accepting this draft budget.

The meeting concluded at 11:42 a.m. and an audio recording is on file in the Commissioners' Office.

JUNE 2024 TERM

CALDWELL, IDAHO JUNE 24, 2024

APPROVED CLAIMS

- The Board has approved claims 606667 to 606703 in the amount of \$60,131.45
- The Board has approved claims 606841 to 606856 in the amount of \$54,714.26
- The Board has approved claims 607094 ADV in the amount of \$2,633.38
- The Board has approved claims 606907 to 606946 in the amount of \$120,780.04
- The Board has approved claims 606888 to 606906 in the amount of \$13,962.10
- The Board has approved claims 606947 to 606964 in the amount of \$22,467.74
- The Board has approved claims 606818 to 606840 in the amount of \$3,327.21
- The Board has approved claims 606625 to 606666 in the amount of \$27,505.18
- The Board has approved claims 606625 to 606666 in the amount of \$27,505.18
- The Board has approved claims 606857 to 606887 in the amount of \$44,842.86
- The Board has approved claims 606704 to 606817 in the amount of \$37,988.25
- The Board has approved claims 606947 to 606964 in the amount of \$23,392.74
- The Board has approved claims 606965 to 607010 in the amount of \$485,179.54
- The Board has approved claims 607011 to 607052 in the amount of \$21,903.51
- The Board has approved claims 607053 to 607091 in the amount of \$38,205.34
- The Board has approved claims 607092 to 607093 in the amount of \$1,855.00

DISAPPROVED CLAIMS

- The Board disapproved claims 606625 to 606666 in the amount of \$44,172.85

CONSIDER FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR CASE NO. AD2023-0007-APL, APPEAL BY NORMAN AND KATHRYN ALDER

The Board met today at 9:32 a.m. to consider the findings of fact, conclusions of law, and order for case no. AD2023-0007-APL, appeal by Norman and Kathryn Alder. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assistant DSD Director Jay Gibbons, Planning Supervisor Carl Anderson, Associate Planner Madelyn Vander Veen and Deputy Clerk Jenen Ross. Ms. Vander Veen explained the hearing was held on April 18, 2024 but no findings were signed at that time. Revisions were made to the FCOs based on Board direction and advice from legal. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the findings of fact, conclusions of law, and order for case no. AD2023-0007-APL, appeal by Norman and Kathryn Alder.

The meeting concluded at 9:36 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:00 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, HR Business Partner Cindy Lorta, HR Business Partner Demi Etheridge (left at 10:04 a.m.), Cpt. Ray Talbot, Assessor Brian Stender (left at 10:04 a.m.), Assistant IT Director Eric Jensen, COO Greg Rast, Deputy P.A. Oscar Klaas (arrived at 10:08 a.m.), Other interested citizens and Deputy Clerk Jenen Ross.

Consider Resolution Adopting Changes to the Title, Job Description, and Salary Grade of Two (2) Positions, and Title and Job Description Only of One (1) Position in the Reappraisal Department: This resolution will update the job title, job description and salary grade of two (2) Customer Service Specialist positions to Plat Technician with a salary grade change from grade 11 to grade 12 and one (1) Sr. Plat Room Technician to a Sr. Plat Technician with and updated job description, there is no change to salary grade. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution adopting changes to the title, job description, and salary grade of two (2) positions, and title and job description only of one (1) position in the Reappraisal Department (Resolution no. 24-130).

Consider Resolution Approving Changes to the Job Title, Job Description, Wage Grade and Range of a Systems Administrator I Position: Cpt. Talbot provided a history of this position which resides in their Emergency Technical Services division. This position will change from a Systems Analyst to a Systems Administrator I and move from a paygrade 15 to 14. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution approving changes to the job title, job description, wage grade and range of a Systems Administrator I position (resolution no. 24-129).

The meeting concluded at 10:09 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION DONATING SURPLUS PERSONAL PROPERTY WITH NOMINAL VALUE TO THE VOICE OF IDAHO AMATEUR RADIO CLUB, INC.

The Board met today at 10:15 a.m. to consider a resolution donating surplus personal property with nominal value to the Voice of Idaho Amateur Radio Club, Inc. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Cpt. Ray Talbot, COO Greg Rast, Other interested citizens and Deputy Clerk Jenen Ross.

Note for the record, the name of the club was incorrectly noticed on the agenda which was corrected on the record. The Board is in favor of continuing to move forward as per legal advice.

Cpt. Talbot provided a history of the equipment to be donated which is approximately 40 years old; he can reasonably confirm that the value of the equipment is less than \$250.

Commissioner Brooks made a motion for the Board to sign the resolution donating surplus personal property with nominal value to the Voice of Idaho Amateur Radio Club, Inc. and also to amend the agenda to display the organization's correct name. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-131).

The meeting concluded at 10:22 a.m. and an audio recording is on file in the Commissioners' Office.

COMMISSIONERS ATTENDING TREASURE VALLEY PARTNERSHIP MEETING

Although a Board majority attended the meeting, it was not a Commissioner meeting and there were no motions, actions or Board direction entertained or given.

ACTION ITEM: CONSIDER FINAL PLAT FOR JACK'S PLACE SUBDIVISION NO. 1, CASE NO. SD2022-0050

The Board met today at 3:03 p.m. to consider the final plat for Jack's Place Subdivision No. 1, Case NO. SD2022-0050. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assistant DSD Director Jay Gibbons, Engineering Supervisor Dalia Alnajjar, Kent Brown, and Deputy Clerk Monica Reeves. Engineering Supervisor Dalia Alnajjar provided a summary of the case and said the preliminary plat was approved on December 15th with 11 conditions. The development is zoned R-1 and consists of 40 lots and 8 common lots, public roads and pressurized irrigation. Water and sewer will be provided by the City of Nampa. All of the conditions of approval have been met. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the final plat for Jack's Place Subdivision No. 1, Case No. SD2022-0050. Chairman Holton signed the final plat. The meeting concluded at 3:03 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Amanda Hedrick, Emergency Communications Officer 1
- Emilie Pepper, Part-time kitchen aid at Southwest Idaho Juv. Detention Center

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for:

- Crescent Brewery to be used 6/29/24

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

Commissioner Van Beek made a motion to go into Executive Session at 8:47 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation and communicate with risk manager regarding pending/imminently likely claims. 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 Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Deputy P.A. Zach Wesley, Director of Constituent Services Aaron Williams, COO Greg Rast, Jeff Rosenthal and Leann Gilberg with the Idaho Humane Society. The Executive Session concluded at 9:35 a.m. with no decision being called for in open session.

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

The Board met today at 9:35 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. Zach Wesley, Deputy P.A. Laura Keys, Facilities Director Rick Britton (left at 9:40 a.m.), Lt. Martin Flores (left at 9:44 a.m.), Cpt. Harold Patchett (left at 9:44 a.m.), Fleet Director Mark Tolman (left at 9:44 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Fleet Shop HVAC Project Notice of Intent to Award: Two bids were submitted for this project with the low bid being ACCO Engineered Systems at \$81,442.00. Director Britton said the bid submission meets all the requirements of the solicitation of bids. Upon the motion of

Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the fleet shop HVAC project notice of intent to award. A copy of the is on file with this day's minutes.

Consider Notice of Ranking for Request for Qualifications for Architecture/Engineering Services for the George Nourse Gun Range Four-year Phased Construction Plans: Five submissions were received for this project which have been narrowed down to the top 3 with negotiations to begin with the no.1 selection. The top 3 are as follows:

1. Kimley-Horn
2. Breckon Land Design/TRS Range Services
3. Slichter-Urgin Architecture, Inc.

\$150,000 has been budgeted in FY24 for this project and the Sheriff's Office has confirmed they are supportive of the selection. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the notice of ranking for the request for qualification for architecture/engineering services for the George Nourse Gun Range Four-year phased construction plans. A copy of the letter is on file with this day's minutes.

Consider Request for Proposals for Employee Benefit Brokerage and Consulting Services; and Consider Legal Notice for Request for Proposals for Employee Benefit Brokerage and Consulting Services: Mr. Wesley explained this is intended to solicit information in order to obtain a professional brokerage and insurance firm to evaluate the county's plan and benefit package. Commissioner Brooks made a motion to sign the request for proposals for Employee Benefit Brokerage and Consulting Services. The motion was seconded by Commissioner Van Beek and carried unanimously. Following the motion, Commissioner Holton confirmed with the Board that both the original motion and second included the legal notice as these action items are part and parcel.

Mr. Wesley provided an attorney-client document to the Board for review prior to discussing at the legal staff update scheduled for Thursday.

The meeting concluded at 9:45 a.m. but the Board went back on the record at 9:48 a.m. where Commissioner Holton noted that this meeting will be continued to tomorrow, June 26, 2024 at 2:00 p.m. The Board is in agreement to continue the meeting to the date and time specified.

The meeting concluded at 9:49 a.m. and audio recordings are on file in the Commissioners' Office.

RIBBON CUTTING CEREMONY FOR THE NEW WAREHOUSE AND WEST VALLEY HUMANE SOCIETY ROOF UPGRADE

JUNE 2024 TERM
CALDWELL, IDAHO JUNE 26, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Interstate Electric in the amount of \$8,626.88 for the Facilities Department (PO #6032)

APPROVED JUNE 28, 2024 PAYROLL

The Board approved the June 28, 2024 payroll in the amount of \$2,521,176.60

BOARD OF EQUALIZATION – VACO, LLC, PROTEST NO. 24044

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:36 a.m. to conduct a property tax assessment protest hearing for Vaco, LLC, Protest No. 24044, PIN 05190010 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Appraisal Supervisor Greg Himes, Sr. Certified Property Appraiser Darryl Speiser, and Deputy Clerk Monica Reeves. The appellant did not appear for today's hearing. Darryl Speiser offered testimony on behalf of the Assessor's Office. He said he has been in discussion with Mark Flitton, the representative from Vaco, regarding the income approach and the sale approach and he summarized that for the Board. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value for Protest No. 24044. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 10:47 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – SUNROC CORPORATION, PROTEST NO. 24039

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:08 a.m. to conduct a property tax assessment protest hearing for Sunroc Corporation, Protest No. 24039, PIN 34128000 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Certified Property Appraiser Supervisor Mike Cowan, Sr. Certified Property Appraiser Darryl Speiser, Andrew Phelps on behalf of Sunroc Corporation, and Deputy Clerk Monica Reeves. Andrew Phelps offered testimony in support of the protest application. Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Brooks made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:34 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION - CF HIPPOLYTA NAMPA, LLC, PROTEST NO. 24134

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:04 a.m. to conduct a property tax assessment protest hearing for CF Hippolyta Nampa, LLC, Protest No. 24134, PIN 30481012 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van

Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Appraisal Supervisor Greg Himes, Certified Property Appraiser Supervisor Mike Cowan, Sr. Certified Property Appraiser Darryl Speiser, and Deputy Clerk Monica Reeves. The appellant did not appear for today's hearing, however, Chief Deputy Assessor Joe Cox said he spoke with Johnny Deeds last night about this matter. They have a pending court case for the 2023 value and Mr. Deeds wants the Board to uphold the value for this year so they can eventually tie the two appeal years together, and Mr. Cox said the Assessor's Office is in favor of it. Following comments, Commissioner Van Beek made a motion to uphold the Assessor's value for CF Hippolyta Nampa, LLC. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 10:07 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 2:00 with county attorneys for a legal staff update. A request to go into executive session was made as follows:

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

Commissioner Brooks made a motion to go into Executive Session at 2:01 p.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Holton. Commissioner Holton took a roll call vote where he along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Director of Constituent Services Aaron Williams, Controller Kyle Wilmot and Clerk Rick Hogaboam. Commissioner Van Beek joined the meeting at 2:06 p.m. The Executive Session concluded at 2:32 p.m. with no decision being called for in open session.

SPECIAL MEETING: JOINT MEETING WITH THE HEALTH TRUSTEE BOARD

The Board met today at 3:03 p.m. for a joint meeting with the Health Trustee Board. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Health Trustees Mark Tolman, Yvonne Baker, Jennifer Watters and Martin Flores, Clerk Rick Hogaboam, Controller Kyle Wilmot, Director of Court Operations Jess Urresti, COO Greg Rast and Deputy Clerk Jenen Ross.

Recently the county made application to join the State of Idaho insurance plan; an opinion has been issued stating that the county doesn't qualify but no one is sure who the opinion came from. Mr. Wesley said that Lt. Flores has a copy of the legal opinion and feels it would be worth pulling some of the legislative history and requesting a formal reconsideration of the opinion as there seems to be room for interpretation. Mr. Wesley said he will take the lead in formulating an

internal opinion and then determine who best to approach with it. He feels it might be better to go thru a personal contact vs. the chain the application and denial came thru. Mr. Wesley said this will be a high priority and anticipates about 2 weeks to get back the Board with more information. The BOCC and Health Board Trustees are supportive of this course of action.

The meeting concluded at 3:15 p.m. and an audio recording is on file in the Commissioners' Office.

JOINT MEETING WITH THE CITY OF NAMPA REGARDING THE SW NAMPA SPECIFIC AREA PLAN PUBLIC PARTICIPATION PROCESS AND INPUT, AND DISCUSS THE AREA OF IMPACT JOINT POWERS AGREEMENT

The Board met today at 4:05 p.m. for a joint meeting with the City of Nampa regarding public participation and input process for the SW Nampa Specific Area Plan, and to discuss the Area of Impact Joint Powers Agreement. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Assistant Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Dan Lister, COO Greg Rast, Nampa Mayor Debbie Kling, Nampa Council Members Randy Haverfield, David Bills, Sebastian Griffin, and Dale Reynolds, Nampa Long Range Planner Doug Critchfield, Nampa Planning Director Rodney Ashby, Nampa Long Range Planner Brianna Son, other interested persons and Deputy Clerk Monica Reeves. Councilman Victor Rodriguez arrived at 4:42 p.m. Today's meeting was held in the Administration Building Public Meeting Room and the agenda topics were as follows:

- Introductions
- Why We are Here
- Meeting Goals, Project Background, and Process
- Land Use Designations and Concepts
- Transportation Network
- Public Engagement Outcomes
- Discussion and Questions
- Next Steps
- Adjournment

Meeting Goals

1. Share the proposed land use designations, concepts, and transportation network for the plan area.
2. Provide a summary of the public engagement completed to date, including a review of the completed public questionnaire results.
3. Review next steps in the planning process.
4. Answer questions and receive feedback and comments from Elected Officials on each of the above.

Looking Ahead: Establishing mutual agreement on the vision for the area

SW Nampa Specific Area Plan

WHAT IS A SPECIFIC AREA PLAN? A Specific Area Plan is a guide for the future development of areas of special interest or concern. The plan's focus on land use designations (e.g., industrial, commercial, residential) and potential public infrastructure needs (e.g., roads, sidewalks, parks and pathways) for the area.

WASN'T THIS ALREADY DONE? The City of Nampa recently added much of this area to the City's Area of Impact allowing the City to plan for future development of this area. The Specific Area Plan will define future land uses and transportation needs.

The plan does not cover all of the area that was adopted into the area of impact because most of that area is very low-density residential designation. It will probably stay in agriculture or large lot residential, and it is close to Lake Lowell and the wildlife refuge so the City of Nampa decided they didn't want to spend a lot of time with that area. The plan area is 1,600 acres.

Review of Project Process

- Public Outreach.
- Modify the Proposed Plan based on input received.
- Public hearing before the Nampa P&Z Commission.
- Public hearing before the Nampa City Council.
- Implementation if the Nampa City Council adopts the plan, the P&Z Department will use the plan to guide development in this area. The comprehensive plan and zoning ordinance go through a separate public hearing process.

Current Future Land Use Designations

Reviewed and approved by Nampa City Council in February 2023

Area of Impact Expansion reviewed and approved by BOCC in September 2023

Proposed Future Land Use Designations

Proposed changes were based upon individual property owner interviews.

Shown to the public during the in person and virtual open houses.

Midway Road/Lone Star Rd Area Concept

Recommended Transportation Network

Public Engagement Methods

March 13, 2024 through May 29, 2024

Information was shared and feedback collected through:

- Property Owner Meetings
 - Mailed invitations to property owners of parcels 10+ acres in size
- In-Person Open House
 - Mailed invitations to property owners within the plan area and within 300' of the plan boundary.
 - Press release and social media posts
- Questionnaires (in-person & electronic)
- Project webpage visited by 368 people

Public Engagement Outcomes

Individual Property Owner Meetings, March through April 2024

Comments were collected through:

- 7 meetings (9 owners attended)
- 3 additional meetings held following the completion of the individual property owner feedback phase (3 owners)

Public Engagement Outcomes

Property Owner Feedback

- Concern over the potential for higher traffic speeds and traffic volumes due to wider road (53%)
- Expectation that the plan will require additional right-of-way (50%)
- Concern over potential conflicts between people walking and biking on the sidepaths (18%)

Property Owners Interest in Development

- 7 meetings, 9 owners attended
- 3 additional meetings held following the completion of the individual property owner feedback phase.

Interested in Developing - 807.454 Acres

Not interested in Developing - 130.366

- The plan area includes 296.65 acres of land that is actively pursuing or under development.
- Of all highlighted areas on the map, 89% of this land is in the process of or looking to be developed.

Public Engagement Outcomes

General Public Feedback, May 15, 2024 through May 29, 2024

Public comments were collected through:

- In-Person Open House (108 attendees)
- Questionnaires (175 participants)
 - 39 in-person questionnaires were completed
 - 136 online questionnaires were completed

Location of Questionnaire Respondents

- Of the 175 questionnaire participants, 60 provided their home address.
- Of those 60, 12 (20%) live within the plan area and 48 (80%) live outside of the plan area.

Public Engagement Outcomes

Do You Support the Proposed Land-Use Designations?

- Yes: 26%

- No: 74%

General Public Top Concerns

- Traffic congestion and safety.
- Concern that the rural feel and environment of the area would be degraded. Respondents commented on the abundant wildlife and rich soil in the area and their desire to preserve those facets of the land.
- The potential for water shortages from further development. Some property owners indicated they're already experiencing some depletion in their wells.

General Public Top Likes

- Preserving the integrity of Deer Flat.
- People want to see transportation improvements, including safer roads and more separated places for walking and biking.
- The proposed location of commercial uses.

Desired Transportation Improvements

- Intersection Safety Improvements: 14%
- Sidepaths for People Walking & Bicycling: 16%
- Separated Walking and Bicycling Paths: 20%
- Upgrade Existing Streets: 21%

Commissioner Van Beek had follow-up questions related to the feedback the public provided and the importance of planning for quality projects. Doug Critchfield said there are a lot of people who simply don't want growth, but when it came down to those who didn't understand the process and maps there was a lot of positive feedback although he cannot justify why the 74% was so high, but they can extrapolate from that that it was primarily concerns about growth in general and people do not want to see any more growth in this area. Rodney Ashby said concerns from property owners were about traffic and being able to farm their land and as growth happens that becomes more challenging, and we need to think about that because if it becomes infeasible for them to operate their farm then what do we offer them as an alternative? The solution to that is probably what we are proposing, which is a solution for that land to be used in a feasible way. Nampa has been working with DSD to craft changes to this area and in the midst of coordinating the new joint powers agreement there was a major update to state code and so they had to rethink that and see if it still fits within the bounds of state code. They think it does, but it likely means the County needs to adopt the land uses Nampa is proposing in the plan. In the end, the County's future land use map needs to match what Nampa is proposing so there is a joint vision. The County's comprehensive plan does not match what Nampa is proposing so there will need to be some changes in the future.

Mayor Kling referenced those citizens who provided responses noting that of the 60 who provided their home address, 80% lived outside the planned area. There is an active group that opposes growth, and many are from California and once they got here they closed the door, and they are very active in attending meetings. Growing from the inside out is very important in growth, measured and planned growth. She is a proponent of the preservation of ag ground, but in listening to farmers, many of them want the ability to sell their ground. Councilman Griffin said these numbers seem low to get a representation of what is wanted from neighbors and the community, and he asked how can we poll that group again to get a true representation and get updated numbers? Mr. Ashby said there are two groups of people: landowners who want to develop and subdivision dwells. He said they have a good indication of what the landowners want, but if the council wants consensus from subdivision dwellers in the city that's a very different demographic and perspective that may be in direct conflict with those who own the land. Perhaps another meeting can be held. Councilman Griffin said the farmers who we are trying to protect, do not want to be protected, they want to retire and they only way they can do that is by development. Mr. Critchfield said some people want lower densities; some want it to remain as farm ground; the question is how to deal with growth. We need more specific information, and he suggested sending an email and asking how people want to change the plan. Councilman Griffin asked how the Board feels about changing the county comprehensive plan to match this if the city council approves this plan? Commissioner Van Beek said the comprehensive plan was an incomplete plan that was adopted prior to Commissioners Brooks and Holton taking office, and there are very specific aspects of this for implementation that are blatantly missing. We know there are areas we have to look at on the comp plan and where to start is the question, but if we have a proposed area of impact that seems like a logical place to start. She is willing to look at the best way for Canyon County. She realizes long range planning has to take place, but for the 89% of people (1,000 acres) for those farmers, the best way to preserve agriculture is to buy agriculture. Mr. Critchfield said initially they had proposed another 2,000 acres south of Nampa and as they interviewed landowners there was an interest in protecting the seed industry and ag industry in that area. They stopped the process of going south and focused on the southwest area because they see the value in preserving and there is more continuity of ag land in that area. They are proposing to concentrate the growth around where growth is already proposing to go and as they get closer to the outer areas reducing density so that it has more capability with what's out there now, the refuge and other development in Caldwell. Mayor Kling said in those 2,000 acres the City is not moving into she hopes Canyon County likewise will not put subdivisions in there and that mutually both entities can protect that until such time as we figure out collectively how to do it together. Councilman Bills said the conflict between the City and the County is if the County continues to approve rural subdivisions where the property can be reasonably served by the City's infrastructure because when the subdivision goes in and when the City gets to that area the neighbors come out and they don't want a dense subdivision next to them. There needs to be inclusive to Caldwell and other cities, a joint understanding where the County is saying we are allowing development and will continue to have jurisdiction over that area and where we going to relinquish development to the cities, and we are not going to compete as to those applications. It's time to say where the City will have jurisdiction and the County steps back and concentrates on the areas where it's not practical to think about sewer getting to that area for years to come. It needs to be put on the table so we are not playing games with those who are investing.

Commissioner Brooks asked how does the County legally deny an application within an area of impact that is under County jurisdiction? Councilman Bills said there should be a reasonable development agreement or what the process to designate this area as under that City's area of impact and the County has the ability to relinquish development to that area or that jurisdiction. When sewer is only 1-2 miles from some of these properties it is not difficult to get something served, but it is difficult to get it done when you have continual pockets of County subdivisions going in. Canyon County and state representatives need to meet and say this is an area we need to change under Idaho Code to allow some of this to take place. Mr. Ashby said we are all aware of the challenge of county vs. city development occurring and in addition to what has been said it even prevents them from getting utilities beyond those locations sometimes, and we have put a lot of work into the JPA to try to address it. What can be done is we have a joint vision and we all agree on what should occur out there. We have talked about a pre-annexation option so that it's a guarantee that when it goes out there the City is reviewing and signing off on what happens in the impact area so that it meshes with the future growth of the City and it matches the comprehensive plan and specific area plans that we both have adopted. We need a joint vision so there isn't confusion. If a development comes to the County and they are asking for a density that doesn't match what the City is doing and will be in conflict with what future development will be in that area, the Board has the ability to require they go to the City of Nampa to go through the pre-annexation process, and he thinks it would resolve a lot of concerns. Randy Haverfield spoke about the sub-districts like the Village in Meridian and in Boise, the Bown Crossing, Warm Springs and Park Center next to a university district as areas people look at and compare what we have versus what they have. Canyon County has a lot more ag ground we need to try to maintain and people are very aware of that. He said we should look at PUDs instead of just subdivisions because they incorporate some commercial and retail areas along with a mix of housing. It's important to try to be cooperative in a way that works for both of us. Councilman Bills said there needs to be a known demarcation; the consumer feels like they're getting batted back and forth. Old subdivisions are going to fail and it will cause issues in the future and the reasonableness is if cities can serve those grounds there should be an understanding and a joint powers agreement. Commissioner Holton agrees, and said previous Boards of Commissioners were approving many land use applications which is one of the reasons smaller cities had such large areas of impact because they were tired of applications getting approved for a subdivision with no comprehension of how you're going to deal with it. He wants to explore what Councilman Bills is proposing because he predicts we are going to have problems with domestic wells failing. It will take cooperation and long-term planning for the County to do anything. Our current code says if water or sewer is within reasonable reach a developer can propose 12,000 square foot lots. We need the GIS staff to look at this map and the approved county subdivisions and see what we have left over that we could cooperate with. He wants to see the main arterials and the infrastructure. Councilman Rodriguez said when considering applications, it would be advantageous to see what the County has decided/required so the City can see if it can adjust its growth. Mr. Ashby said getting a specific area plan in place allows us both to say here is what we want to see. (Chairman Holton left at 5:30 p.m. for an emergency meeting.) Assistant DSD Director Jay Gibbons said the planners have collaborated to this point but it's not over. The City will adopt their plan and begin implementation and from the County's perspective we will entertain amending our area of city impact to reflect the City's addition to its comprehensive plan. We also need to have common

ground and amend the JPA that will set the mechanisms and how we continue to work. We want to get to the point where we have a JPA that gives the City more of an active role in that and agree to the measures. We don't want to continue to approve County density subdivisions in conflict with the City's vision for what will be future parts of the city proper in Nampa. Commissioner Van Beek said further discussion needs to occur.

Next Steps

- Joint City/County Staff Meeting: Early July
- Draft Specific Plan for City Staff Review: July
- Coordination Meeting with Canyon County & City of Caldwell: Late August/Early September
- Revised Draft Specific Plan for Joint Planning & Zoning/Nampa City Council Meeting: September
- Final Specific Plan for Adoption: September/October

Looking Ahead for the County

- Collaborate with City to identify solutions & mechanisms the County can utilize to implement the City's vision
- Adopt City's Specific Area Plan as an addendum to Area of Impact agreement.
- Update Joint Powers Agreement with regard to City/County development review processes

The meeting concluded 5:37 p.m. An audio recording is on file in the Commissioners' Office.

JUNE 2024 TERM

CALDWELL, IDAHO JUNE 27, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- McKayla Tiffany, Detention Office at Southwest Idaho Juvenile Detention Center
- Maria Menchaca, Legal Assistant II - Civil Division of Prosecuting Attorney's Office

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, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas (left at 9:48 a.m.), Fair Director Diana Sinner (left at 9:43 a.m.), Lt. Chad Harrold (left at 9:48 a.m.), Lt. Martin Flores (left at 9:48 a.m.), COO Greg Rast, Director of Constituent Services Aaron Williams (arrived at 9:39 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Fair entertainment contracts:

Mr. Wesley said most of the contracts are the standard entertainment contracts. The only two that are slightly different are Neste Live! and 2 de la S through LM Events DE, Inc. Neste Live! books the national mainstage acts which contain a lot of terms and conditions they along with riders for the artists and additional details. LM Events books the mainstage artist for Sunday. The remainder of the entertainment contracts are all the same with the same indemnification insurance coverage. Each contract lines out the time of performance and payment. Commissioner Van Beek made a motion to sign the agreement with Neste Live!, the contracts with the 7 vendors and the mainstage agreement with LM Events as presented. The motion was seconded by Commissioner Brooks and carried unanimously.

- Neste Live! Booking Contract between Neste Event Marketing, LLC and Canyon County (agreement no. 24-050)
- Entertainment Contract with Ballet Folklorica Yareth de Idaho/Maria Avila for the 2024 Canyon County Fair (agreement no. 24-051)
- Entertainment Contract with Darrell Wagner aka Crickett The Entertainer for the 2024 Canyon County Fair (agreement no. 24-2-052)
- Entertainment Contract with Hispanic Folkloric Dancers of Idaho, Inc./Brad Ebert for the 2024 Canyon County Fair (agreement no. 24-053)
- Entertainment Contract with Joe Black for the 2024 Canyon County Fair (agreement no. 24-054)
- Entertainment Contract with Jon Taylor for the 2024 Canyon County Fair (agreement no. 24-055)
- Entertainment Contract with Patti Syme for the 2024 Canyon County Fair (agreement no. 24-056)
- Entertainment Contract with Danza Azteca Tonatiuh/Antonina Robles for the 2024 Canyon County Fair (agreement no. 24-057)
- Main Stage Agreement with 2 de la S through LM Events DE, Inc. for the 2024 Canyon County Fair (agreement no. 24-058)

Consider an Ordinance Amending Chapter 3 Article 19, Law Enforcement Towing; and Consider Summary of Ordinance Amending Chapter 3 Article 19, Law Enforcement Towing: This ordinance will allow for law enforcement to set a towing fee for companies on the CCSO tow roster. Currently there is no fee structure and prices are determined by the tow companies on the rotation list. With this ordinance in place, in order for a tow company to be included on the rotation list they would need to agree to the pricing as established by the county thru the Sheriff's Office. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Ordinance Amending Chapter 3 Article 19, Law Enforcement Towing and the Summary of Ordinance Amending Chapter 3 Article 19, Law Enforcement Towing (ordinance no. 24-002). Mr. Klaas noted that there is no price set within the ordinance but that the annual price recommendation will be submitted to the Board for adoption in the near future and will be evaluated annually.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:49 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation and to communicate with the risk manager 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, Deputy P.A. Laura Keys, COO Greg Rast. The Executive Session concluded at 10:18 a.m. with no decision being called for in open session.

The meeting concluded at 10:18 a.m. and an audio recording of the open portion is on file in the Commissioners' Office.

MEETING TO CONSIDER CERTIFICATES OF NONCOMPLIANCE AND RELEASES OF CERTIFICATES OF NONCOMPLIANCE

The Board met today at 10:35 a.m. to consider certificates of noncompliance and releases of certificates of noncompliance. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Assistant DSD Director Jay Gibbons, Code Enforcement Supervisor Eric Arthur, Principal Planner Deb Root, Sr. Administrative Specialist Pam Dilbeck, COO Greg Rast and Deputy Clerk Jenen Ross. The certificates of noncompliance and releases were considered as follows:

Releases of Certificates of noncompliance

Mr. Arthur provided a history on each of the following properties:

- **15580 Cantrice Ln, Caldwell (R23266026)**, CDEF2022-0161 – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the release for property located at 15580 Cantrice Ln, Caldwell (R23266026).
- **9065 Owyhee Dr, Nampa (R25980)**, CDEF2023-0091 – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the release for property located at 9065 Owyhee Dr, Nampa (R25980).
- **5445 McDermott Rd, Kuna (R28925)**, CDEF2022-0065 – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the release for property located at 5445 McDermott Rd, Kuna (R28925).

Certificates of noncompliance

Mr. Arthur provided a history on each of the following properties:

- **22481 Elm Ln, Middleton (R28098)**, CDEF2024-0098 – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a certificate of noncompliance on property located at 22481 Elm Ln, Middleton (R28098).
- **71 S. Pit Ln, Nampa (R30678010A)**, CDEF2022-0162 – Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a certificate of noncompliance on property located at 71 S. Pit Ln, Nampa (R30678010A).

The meeting concluded at 10:43 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR CASE NOS. RZ2021-0056 AND SD2021-0059

The Board met today at 10:50 a.m. to consider the findings of fact, conclusions of law, and order for case nos. RZ2021-0056 and SD2021-0059. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Assistant DSD Director Jay Gibbons, Principal Planner Deb Root, COO Greg Rast and Deputy Clerk Jenen Ross. Mr. Wesley requested additional time to get these documents in the final form for Board consideration, he asked that this item be included with the legal staff update July 2nd at 9:30. Upon the motion by Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to continue this action item to July 2nd at 9:30 a.m.

The meeting concluded at 10:51 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION ADOPTING CHANGES TO THE TITLE, JOB DESCRIPTION, AND SALARY GRADE OF ONE (1) POSITION IN THE HR DEPARTMENT

The Board met today at 1:15 p.m. to consider a resolution adopting changes to the title, job description and salary grade of one (1) position in the HR department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Interim HR Director Rich Soto, HR Business Partner Demi Etheridge, COO Greg Rast and Deputy Clerk Jenen Ross. This resolution will change the Risk and Safety Manager position, at a grade 16 to a Benefits Administrator, at a grade 15. The new position will replace one fulltime Risk and Safety Manager and one part-time Benefits and Training Business Partner and with the consolidation of the two positions, the Human Resources 'A' budget will be reduced by approximately \$35,000 annually. Mr. Soto addressed several questions posed by Commissioner Van Beek. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the resolution adopting changes to the title, job description and salary grade of one (1) position in the HR department (resolution no. 24-133)

The meeting concluded at 1:24 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER ENGAGEMENT AGREEMENT WITH LANGSTON & ASSOCIATES FOR A PROPERTY APPRAISAL

The Board met today at 1:25 p.m. to consider an engagement agreement with Langston & Associates for a property appraisal. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, COO Greg Rast and Deputy Clerk Jenen Ross. Mr. Rast said that a property has come available but since the county can't pay above the appraised value it would be prudent to have an appraisal done on the commercial side. This will help determine if the county can afford the property and if it's in its best interest. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the engagement agreement with Langston & Associates for a property appraisal (agreement no. 24-049).

The meeting concluded at 1:27 p.m. and audio recording is on file in the Commissioners' Office.

MONTHLY MEETING WITH THE ADMINISTRATIVE DISTRICT JUDGE AND TRIAL COURT ADMINISTRATOR

The Board met today at 1:31 p.m. with the Administrative District Judge and Trial Court Administrator. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Judge Davis VanderVelde, Interim TCA Benita Miller, Deputy TCA Laura Kiehl, COO Greg Rast and Deputy Clerk Jenen Ross.

The following topics were discussed

- Judge VanderVelde's term as TCA will be ending in September and Judge Whitney will be taking over.
- State Public Defender interviews have been moved to courtroom 140. Ms. Miller said other judicial districts will be opening the interviews for the public along with doing a press release; she will set up a time to meet with Commissioner Holton to discuss further.
- Ms. Kiehl expressed her appreciation for the Director of Constituent Services, Aaron Williams and Communications Specialist, Chad Thompson attending the drug court graduation recently.
- Mr. Rast asked if the two fulltime marshal positions that were requested in the budget are critical this year. Ms. Miller said the priority would be the two more part-time employees in order to have a marshal for every courtroom.

The meeting concluded at 1:44 p.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TIMOTHY AND JULIE SCHELHORN, PROTEST NO. 24040

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:00 p.m. to conduct a property tax assessment protest hearing for Timothy and Julie Schelhorn, Protest No.

24040, PIN 14839200 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Appraisal Supervisor Greg Himes, Certified Property Appraiser Supervisor Mike Cowan, Julie Schelhorn, Greg Ruddell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Assessor's Office personnel, interested citizens, and Deputy Clerk Monica Reeves. Greg Ruddell and Julie Schelhorn offered testimony in support of the protest application. Mike Cowan offered testimony on behalf of the Assessor's Office. Commissioner Van Beek suggested the Assessor's Office and the appellant work through the discrepancies and see if there is some consideration for the ingress/egress and some other characteristics. Upon the motion of Commissioner Holon and the second by Commissioner Van Beek, the Board voted unanimously to continue the matter to a later date to see if the parties can come to a solution on or before 12:00 noon on July 8, 2024. If a solution is not agreed upon the matter will come back before the Board of Equalization the afternoon of July 8, 2024. The hearing concluded at 2:42 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – CLARR TRUST, LLC, PROTEST NOS. 24062 AND 24065

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:50 p.m. to conduct a property tax assessment protest hearing for Clarr Trust, LLC, Protest Nos. 24062 and 24065, PIN 31025000 0 and PIN 31026011A0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Appraisal Supervisor Greg Himes, Certified Property Appraiser Supervisor Mike Cowan, Angela Worley, Russ Vawter, Greg Ruddell, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Assessor's Office personnel, interested citizens, and Deputy Clerk Monica Reeves. Greg Ruddell and Russ Vawter offered testimony in support of the protest application. Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Brooks made a motion to uphold the Assessor's value on Protest Nos. 24062 and 24065. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 3:55 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – APPROVE ASSESSOR'S ADJUSTMENTS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:59 p.m. to consider adjustments submitted by the Assessor's Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Appraisal Supervisor Greg Himes, and Deputy Clerk Monica Reeves. The Assessor's Office submitted a spreadsheet for the Board's review which included adjustments they made on five parcels which totaled \$2,386,755. (A copy of the spreadsheet with the detailed information is on file with this day's minute entry.) Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to accept the adjustments on the certified values as presented. Mr. Himes requested the Board allow 10 minutes of testimony during hearings for commercial properties or for accounts that involve tax representatives. The standard time of 3-5 minutes for residential accounts is sufficient. The Board agreed. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The meeting concluded at 4:02 p.m. An audio recording is on file in the Commissioners' Office.

PROPERTY TAX EXEMPTION – LEAP CHARITIES, INC

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:30 a.m. to reconsider a property tax exemption for Leap Charities, Inc., PIN 15438000 0. Present were: Commissioners Leslie Van Beek and Brad Holton, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Speiser, Commercial Appraiser Kevin Sorensen, Business Manager Jennifer Loutzenhiser, Other Assessor's Office staff, Dan Metzger and Deputy Clerk Jenen Ross. This exemption was originally denied on May 1, 2024, but since that time additional information has been obtained which would now allow for the exemption to be granted. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to grant the exemption. The meeting concluded at 9:34 a.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR WISHNEY SUSAN AND DAVID FAMILY TRUST, PROTEST NO. 24018

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:36 a.m. to conduct a property tax assessment protest hearing for Wishney Susan and David Family Trust, protest no. 24018. Present were: Commissioners Leslie Van Beek and Brad Holton, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Speiser, Commercial Appraiser Kevin Sorensen, Dan Metzger, Ataul Karim and Deputy Clerk Jenen Ross. Mr. Himes stated that an email has been received from Mr. Wishney requesting the value be upheld giving him the opportunity to appeal to the State Board of Tax Appeals. Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Holton and carried unanimously. The hearing concluded at 9:37 a.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR M. Ataul Karim, Protest no. 24096

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:37 a.m. to conduct a property tax assessment protest hearing for M. Ataul Karim, protest no. 24096. Present were: Commissioners Leslie Van Beek and Brad Holton, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorensen, Other Assessor's Office staff, Dan Metzger, Ataul Karim and Deputy Clerk Jenen Ross. Mr. Karim offered testimony in support of the protest application. Mr. Sorensen, Mr. Cowen and Mr. Himes offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and

deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Holton and carried unanimously. The hearing concluded at 9:58 a.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR SOUTHSIDE TOWNHOMES, PROTEST NOS. 24089 AND 24092

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:58 a.m. to conduct a property tax assessment protest hearing for Southside Townhomes, protest nos. 24089 and 24092. Present were: Commissioners Leslie Van Beek and Brad Holton, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorensen, Other Assessor's Office staff, Dan Metzger and Deputy Clerk Jenen Ross. Mr. Metzger offered testimony in support of the protest application. Mr. Sorensen and Mr. Cowan offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value on three separate parcels located at 1096 Southside Blvd, Nampa with a total assessed value is \$43,595,250, parcel nos. 22165000 0, 22165012 0 and 22165013 0. The motion was seconded by Commissioner Holton and carried unanimously. The hearing concluded at 10:28 a.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR MIHAI AND STEFANIA IRIMIA 24081

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:38 p.m. to conduct a property tax assessment protest hearing for Mihai and Stefania Irimia, protest no. 24081. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Appraisal Supervisor Greg Himes, Residential Supervisor Holly Hopkins, Other Assessor's Office staff, Miah Irimia and Deputy Clerk Jenen Ross. Mr. Irimia offered testimony in support of the protest application. Ms. Hopkins and Mr. Himes offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 2:07 p.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR JONATHAN BOYD, PROTEST NO. 24105

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:07 p.m. to conduct a property tax assessment protest hearing for Jonathan Boyd, protest no. 24105. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Appraisal Supervisor Greg Himes, Residential Supervisor Holly Hopkins, Other Assessor's Office staff, Miah Irimia, and

Deputy Clerk Jenen Ross. Mr. Himes informed the Board that Mr. Boyd has request that the Assessor's value be upheld to preserve his right to take his case to the State Board of Tax Appeals. Commissioner Van Beek made a motion to uphold the Assessor's value on protest no. 24105 for property located at 12383 S. Abbott Downing Way in Nampa. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 2:09 p.m. and an audio recording is on file in the Commissioners' Office.

Commissioner Van Beek moved to adjourn the meeting. The motion was seconded by commissioner Brooks and carried unanimously.

The hearing concluded at 2:09 p.m. and an audio recording is on file in the Commissioners' Office.

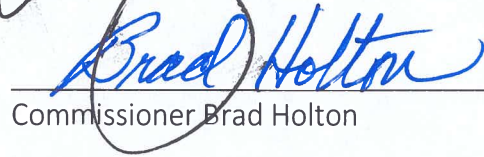
THE MINUTES OF THE FISCAL TERM OF JUNE 2024 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 10th day of October, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS



Commissioner Leslie Van Beek



Commissioner Brad Holton



Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: JROSS, Deputy Clerk

APPROVED CLAIMS

- The Board has approved claims 607095 to 607132 in the amount of \$33,138.46

ACTION ITEM: CONSIDER RESOLUTION REAPPOINTING SCOTT ROBINSON TO THE CANYON COUNTY MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES

The Board met today at 9:18 a.m. to consider a resolution reappointing Scott Robinson to the Canyon County Mosquito Abatement District Board of Trustees. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Laura Keys, Ed Priddy, and Deputy Clerk Monica Reeves. On May 23, 2024, Jim Lunders, the Director of the Canyon County Mosquito Abatement District, requested the Board reappoint Mr. Robinson to the board of trustees. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to reappoint Scott Robinson to serve on the Canyon County Mosquito Abatement District Board of Trustees. It shall be a four (4) year term. (Resolution No. 24-134.) The meeting concluded at 9:19 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER ADOPTING BYLAWS OF THE CANYON COUNTY DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE

The Board met today at 9:23 a.m. to consider adopting the bylaws of the Canyon County Development Impact Fee Advisory Committee. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Director of Constituent Services Aaron Williams, Deputy PA Laura Keys, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Ed Priddy, and Deputy Clerk Monica Reeves. The Board wanted more time to review the bylaws. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to amend the agenda and continue the review and potential action item for the bylaws of the Canyon County Development Impact Fee Advisory Committee to this afternoon at 1:45 p.m. Commissioner Holton said there is a legal issue that needs to be taken care of before the next meeting begins. An Executive Session was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 9:26 a.m. 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. 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, and Deputy PA Laura Keys. The Executive Session concluded at 9:42 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.

BOARD OF EQUALIZATION – GLAR INDUSTRIES, INC., PROTEST NOS. 24115, 24116, 24117, 24118, 24119, 24120, 24121, 24122, 24123, 24124, 24125, AND 24126

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:42 a.m. to conduct a property tax assessment protest hearing for Glar Industries, Inc., Protest Nos. 24115, 24116, 24117, 24118, 24119, 24120, 24121, 24122, 24123, 24124, 24125, and 24126; PIN: 36109137 0, 36109138 0; 36109139 0; 36109140 0; 36109141 0; 36109142 0; 36109143 0; 36109144 0; 36109145 0; 36109146 0; 36109147 0; and 36109148 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Administrative Property Appraiser Supervisor Greg Himes, Deputy PA Laura Keys, Ed Priddy from Glar Industries, Inc., and Deputy Clerk Monica Reeves. Ed Priddy offered testimony in support of the protest applications related to Idaho Code, Section 63-602W, which grants a reprieve for developers based on the difference between the value of the land and the site improvements they bring to the land for purposes of property taxes until each lot is sold. The code allows for a 75% reduction. They initially made application in 2017, but didn't realize that they had to reapply for the exemption when they did new phases. He asking the Board to grant the 75% exemption based on the statute even though they missed the April 15 filing deadline. Assessor Brian Stender offered testimony on behalf of the Assessor's Office and noted that applicants have to apply for the exemption on each individual phase. The parcels in question today did not exist during the filing of the first application. Mr. Priddy said the Assessor's Office should improve its communication process because the statute makes no mention of applying in phases. He asked the Board to grant the exemption because he met all the other qualifications except the filing deadline. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the Assessor's value on Protest Nos. 24115, 24116, 24117, 24118, 24119, 24120, 24121, 24122, 24123, 24124, 24125 and 24126, that are a part of the Greenleaf Air Ranch No. 3. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 10:08 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER SIGNING FINAL PLAT FOR KIMBER RIDGE #3, CASE NO. SD2022-0057

The Board met today at 11:16 a.m. to consider the final plat for Kimber Ridge #3, Case No. SD2022-0057. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Dan Lister, DSD Director Sabrina Minshall, Jerry Uptmor, and Deputy Clerk Monica Reeves. Principal Planner Lister reported that the preliminary plat was approved by the Board in May, subject to six conditions. A summary packet was provided demonstrating how the conditions have been met and based on a review the plat meets the code and is ready to be signed. Upon the

motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the final plat for Kimber Ridge #3, Case No. SD2022-0057. The meeting concluded at 11:18 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) REGARDING PERSONNEL MATTERS, AND TO CONSIDER AN ACTION ITEM: SIGN JOB OFFER TO HIRE THE HR DIRECTOR CANDIDATE

The Board met at 11:35 a.m. to conduct an Executive Session to discuss a personnel matter and to consider the following action item after the Executive Session: Consider Signing a Job Offer to Hire the HR Director Candidate. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Interim HR Director Rich, Chief Civil Deputy Sheriff Doug Hart, and Deputy Clerk Monica Reeves. Commissioner Van Beek made a motion to go into Executive Session at 11:36 a.m. pursuant to Idaho Code, Section 74-206(1) (a), regarding personnel matters. 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. The Executive Session concluded at 11:48 a.m. where Commissioner Holton said no decisions had been reached. In open session there was discussion on the job offer to the HR candidate. COO Rast said the hiring committee included himself, CCSO Chief Deputy Sheriff Doug Hart, Chief Deputy Assessor Joe Cox, HR Interim Director Rich Soto, and Chief Public Defender Aaron Bazzoli. Of the 50+ applications that were received the pool was narrowed down to 11 candidates and after the first round of interviews and the pool was further narrowed to four or five for a second round of interviews. One candidate stood out and was invited to meet with the Board and the hiring committee in Executive Session where they had the opportunity to interview the candidate, and subsequently COO Rast made a contingent job offer to the candidate, Marty Danner. Commissioner Holton said the process followed a good vetting system where all concerns have been weighed and considered. Commissioner Van Beek acknowledged the leadership that was a part of the vetting committee. Commissioner Brooks said it has been a good process with good people involved. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to extend the job offer to hire the HR candidate. The meeting concluded at 11:54 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH BENITON CONSTRUCTION FOR UPDATE ON THE ELECTIONS BUILDING AND FINAL REVIEW OF THE ANIMAL SHELTER ROOF AND WAREHOUSE PROJECTS

The Board met today at 1:34 p.m. with Beniton Construction for an updated on the elections building and for a final review of the animal shelter roof and warehouse projects. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Facilities Director Rick Britton, Brandon Grote with Beniton Construction, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Britton explained the shelter roof and warehouse projects were run together which saved a considerable amount of money in having one general contractor handle both projects. He spoke about what will be stored in/at the new warehouse and the approximate savings \$56K annually by no longer having to rent a storage facility.

The old canvas roofs previously on the animal shelter were at end of life and in need of replacement. This change will not only be beneficial to the operation of the shelter but there will also be a savings in heating and cooling costs.

Mr. Grote provided a review of project costs. There will be a credit of \$135,806.03 to the county for unused contingency and weather protection on the animal shelter and warehouse.

Targeted completion for the elections building is January 2025. Currently they are working to get structural pieces completed before winter weather arrives.

The Board would like to have an update meetings every 2 months on the elections building.

The meeting concluded at 1:47 p.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER ADOPTING BYLAWS OF THE CANYON COUNTY DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE

The Board met today at 1:49 p.m. to consider adopting bylaws of the Canyon County Development Impact Fee Advisory Committee. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Constituent Services Aaron Williams, COO Greg Rast, Development Impact Fee Advisory Committee Chairman Mike Wilson and Deputy Clerk Jenen Ross. This action item was continued from this morning in order for there to be grammatical corrections made; there were no substantive changes made. Mr. Wilson expressed his appreciation for being part of this Board and provided a background on himself. Commissioner Van Beek's questions regarding the first bullet point in article I and annual evaluation of the fees were addressed by Commissioner Holton and Mr. Williams. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to adopt the bylaws of the Canyon County Development Impact Fee Advisory Committee.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR CJM LIMITED LIABILITY PARTNERSHIP, PROTEST NO. 24145

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:30 p.m. to conduct a property tax assessment protest hearing for CJM Limited Liability Partnership, protest no. 24145. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Speiser, Mark Ridley for CJM Limited Liability Partnership and Deputy Clerk Jenen Ross. Assessor Brian

Stender joined the meeting at 3:07 p.m. Mr. Ridley offered testimony in support of the protest application. Darryl Speiser, Mike Cowan and Greg Himes offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Van Beek made a motion to uphold the owner's opinion of value at \$226,000. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 3:13 p.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR LEE AMARAL CEDAR CITY LLC, PROTEST NO. 24090

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:22 p.m. to conduct a property tax assessment protest hearing for Amaral Cedar City, LLC, protest no. 24090. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Appraisal Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Speiser, Assessor Brian Stender and Deputy Clerk Jenen Ross. The applicant did not appear to offer testimony on behalf of their protest application. Darryl Speiser offered testimony on behalf of the Assessor's Office. Following testimony, Commissioner Van Beek made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 3:24 p.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION MATTERS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:24 p.m. to consider Board of Equalization matters. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assessor Brian Stender, Appraisal Supervisor Greg Himes and Deputy Clerk Jenen Ross.

A review of Assessor adjustments was presented to the Board. Adjustments were made to the following:

- Protest no. 24032, Greek Family Trust
- Protest no. 24441, Executive Air Ranch, LLC
- Protest no. 24047, Gardner Nampa Gateway, LLC
- Protest no. 24149, HFLP LC

Commissioner Van Beek made a motion to approve the adjustments as presented. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 3:31 p.m. and an audio recording is on file in the Commissioners' Office.

APPROVED CLAIMS

- The Board has approved claims 607304 to 607307 in the amount of \$943.50

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Tree Maintenance in the amount of \$12,000 for the Facilities Department (PO #6031)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Grant's Grill to be used 7/6/24
- Van Lith Ranch to be used 7/10/24
- Double Diamond Steakhouse & Saloon to be used 7/6/24, 8/3/24, 9/7/24

LEGAL STAFF UPDATE AND CONSIDER AN ACTION ITEM: FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR CASE NOS. RZ2021-0056 AND SD2021-0059 (REQUEST BY MIDDLETON 187, LLC AND TBC LAND HOLDING, LLC, FOR A CONDITIONAL REZONE, AND A PRELIMINARY PLAT, FOR FARMINGTON HILLS SUBDIVISION)

The Board met today at 9:33 a.m. for a legal staff update and to consider the Findings of Fact, Conclusions of Law, and Order (FCO's) for Case Nos. RZ2021-0056 and SD2021-0059, regarding the request by Middleton 187, LLC and TBC Land Holding, LLC, for a Conditional Rezone of approximately 217 acres from an "A" (Agricultural) zone to "CR-R1" (Single Family Residential) zone, and a preliminary plat, for Farmington Hills Subdivision. Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy PA Zach Wesley, Deputy PA Laura Keys, DSD Director Sabrina Minshall, DSD Principal Planner Deb Root, Chief Operating Officer Greg Rast, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Property Appraiser Supervisor Greg Himes, Denise Rhodes, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks arrived at 9:35 a.m. The public hearing was held on June 10, 2024 where the Board voted unanimously to deny both requests. Today the Board reviewed the draft FCO's that were prepared by DSD staff and reviewed by Legal. Following review and comments, Commissioner Van Beek made a motion to sign the Findings of Fact, Conclusions of Law, and Order for Case Nos. RZ2021-0056 and SD2021-0059, regarding the request by Middleton 187, LLC and TBC Land Holding, LLC, for a Conditional Rezone of approximately 217 acres as presented. The motion was seconded by Commissioner Brooks and carried unanimously. The signed documents are on file with this day's minute entry. The meeting concluded at 9:39 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(D) AND (F)

The Board met today at 9:41 a.m. for a scheduled Executive Session, pursuant to Idaho Code, Section 74-206(1)(d) and (f) to discuss records exempt from public disclosure, and to communicate with legal counsel regarding pending/imminently likely litigation. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Property Appraiser Supervisor Greg Himes, Deputy PA Laura Keys, Deputy PA Zach Wesley, COO Greg Rast, and Deputy Clerk Monica Reeves. Deputy PA Wesley said the Executive Session is intended to be a conversation between Assessor Brian Stender and the Board about hiring outside counsel on a tax appeal litigation case. He said Assessor Stender approached Prosecutor Bryan Taylor in June and on June 5, Prosecutor Taylor concurred and agreed that outside counsel would be beneficial in this case, which is a specialized area of law that we could benefit from some expertise on and considering our staffing needs and the matter of resources and time it would take to litigate a case like this that would be the most appropriate thing to do at this point. He said Prosecutor Taylor asked that Deputy PA Laura Keys be assigned as the liaison with legal counsel because there is a lot to gain from that experience and we've not had an attorney in the PA's Office work on a tax appeal case for a while so it would be a good beneficial practice. The Executive Session is to discuss some potential hires and their arrangements. At 9:44 a.m. Commissioner Van Beek made a motion to go into Executive Session pursuant to Idaho Code, Section 74-206(1) (d) and (f) to discuss records exempt from public disclosure, and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. The same parties noted earlier remained present for the Executive Session which concluded at 10:05 a.m. A brief recess was taken from 10:05 a.m. to 10:06 a.m. Commissioner Holton said there was no business brought forward, and the meeting concluded at 10:06 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 10:10 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Facilities Director Rick Britton (left at 10:16 a.m.), Fair Director Diana Sinner (left at 10:18 a.m.), EOM Christine Wendelsdorf, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Reappointing Zach Wesley to the Historic Preservation Commission: Commissioners Van Beek and Holton offered comments regarding Mr. Wesley's willingness to serve. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution reappointing Zach Wesley to the Historic Preservation Commission (resolution no. 24-135).

Consider Contract with ACCO Engineered Systems for the Fleet Shop HVAC Project: ACCO submitted the low bid which has been reviewed by legal and there are no issues with the contract. Director Britton explained this will allow for temperature regulation and efficiency in the Fleet shop. Questions were addressed regarding the not-to-exceed amount. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the contract with ACCO Engineering Systems for the Fleet Shop HVAC project (agreement no. 24-059).

Mr. Wesley explained that most of the contracts are the standard entertainment contracts. Rico Weisman coordinates fair talent thru the year and is a specialized contract which includes terms used each year. Commissioner Brooks made a motion to sign each of the fair contracts as presented. The motion was seconded by Commissioner Van Beek and carried unanimously.

- Entertainment Contract with Chad Stephan Taylor aka Mad Chad for the 2024 Canyon County Fair (agreement no. 24-060)
- Entertainment Contract with Jason Buckalew aka Dueling Pianos for the 2024 Canyon County Fair (agreement no. 24-061)
- Entertainment Contract with Tom K. Phelps dba Kings of Swing for the 2024 Canyon County Fair (agreement no. 24-062)
- Entertainment Contract with Killarney Irish Dance Company for the 2024 Canyon County Fair (agreement no. 24-064)
- Entertainment Coordinator Contract with Rico Weisman, Boise Arts and Entertainment for the 2024 Canyon County Fair (agreement no. 24-063)

Consider signing Continued Local Disaster Emergency Severe Weather Declaration: The initial declaration was signed by the chairman last week and today is for the Board to ratify the declaration and continue to the extent necessary. Ms. Wendelsdorf doesn't see a need to continue as most property owners have contacted their insurance and are working to mitigate damage. She said the damage doesn't rise to the threshold for state or federal emergency assistance; there needs to be 25 households to qualify for low interest loans and at this point they are only at about 20 but she is still evaluating the submissions. Based on the information provided, the Board has chosen not to continue the emergency declaration and the initial declaration will expire tomorrow. No action was taken on this item.

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

ACTION ITEMS: CONSIDER FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, AS WELL AS THE DEVELOPMENT AGREEMENT AND ORDINANCE FOR GOLDBERG/ LGD VENTURES LLC, CASE NO. RZ2021-0030, AND FCO'S FOR LEWIS HEIGHTS SUBDIVISION, CASE NO. SD2021-0018

The Board met today at 10:32 a.m. to consider the Findings of Fact, Conclusions of Law, and Order, Development Agreement, and Ordinance for Goldberg/ LGD Ventures LLC, Case No. RZ2021-0030,

and the FCO's for Lewis Heights Subdivision, Case No. SD2021-0018. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Laura Keys, Deputy PA Zach Wesley, DSD Director Sabrina Minshall, DSD Principal Planner Michelle Barron, DSD Principal Planner Deb Root, DSD Senior Admin. Specialist Pam Dilbeck, Garrett Goldberg, COO Greg Rast, and Deputy Clerk Monica Reeves. Following public hearings held on March 14, and May 1, 2024, the Board approved the requests. A brief summary was given by Principal Planner Michelle Barron. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the FCO's, Development Agreement, and Ordinance for Goldberg/LGD Ventures LLC, Case No. RZ2021-0030, and the FCO's for Lewis Heights Subdivision, Case No. SD2021-0018. (See Agreement No. 24-065 and Ordinance No. 24-008.) The meeting concluded at 10:36 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEMS: CONSIDER FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR CASE NO. CU2022-0036-APL, REGARDING THE APPEAL BY DANNY AND DEBRA CARDOZA

The Board met today at 10:42 a.m. to consider the Findings of Fact, Conclusions of Law, and Order for the appeal by Danny and Debra Cardoza, Case No. CU2022-0036-APL, regarding the confined animal feeding operation for AK Feeders, LLC. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Laura Keys, Deputy PA Zach Wesley, DSD Director Sabrina Minshall, DSD Principal Planner Deb Root, COO Greg Rast, and Deputy Clerk Monica Reeves. The P&Z Commission had approved the CAFO permit for AK Feeders and the Cardozas appealed that decision and following the public hearings held on May 30, 2024 and June 17, 2024, the Cardozas' appeal was denied by the Board. The FCO's were prepared by Principal Planner Deb Root and were reviewed by Legal. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the Findings of Fact, Conclusions of Law, and Order for the appeal by Danny and Debra Cardoza, Case No. CU2022-0036-APL. The meeting concluded at 10:48 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 11:00 a.m. to consider matters related to Indigent Services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, COO Greg Rast and Deputy Clerk Jenen Ross.

- Case no. 2016-988: This case has been paid in full and Indigent Services is requesting that the lien be released. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to release the lien on case no. 2016-988.
- Case no. 2016-722: There has been a request for a subordination agreement in order to obtain a HLOC which would allow them to do a roof repair along with purchase a new vehicle at a lesser amount than their current vehicle. Following discussion regarding the

applicant's finances and debt still owed to the county, the Board directed Indigent staff to obtain additional information and to bring it back to the Board at a later date.

The meeting concluded at 11:13 a.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – SOUTHSIDE BOULEVARD UNITED METHODIST CHURCH, PROTEST NO. 24017

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:32 p.m. to conduct a property tax exemption protest hearing for Southside Boulevard United Methodist Church, Protest No. 24017, PIN 29542011A1. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Certified Property Appraiser Supervisor Greg Himes, Assessor's Business Manager Jennifer Loutzenhiser, Administrative Assistant Helena Thompson, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorenson, Hans Bruijn, Connie Hill Bruijn, Tom Stone, other interested citizens, and Deputy Clerk Monica Reeves. Hans Bruijn offered testimony in support of the protest application stating there was an oversight on their part and partly because paperwork was not passed on to the correct person. They thought they had filed the correct paperwork but later found out they did not. Paying property tax on the parcel every year will significantly impact the church's mission work so they are asking for the religious exemption to be reinstated. The Assessor's Business Manager Jennifer Loutzenhiser and Assessor Brian Stender offered testimony on behalf of the Assessor's Office. They have statutory requirements they must adhere to and the application deadline is one of them, and although they would like to offer a religious exemption to the parcels they are not able to because the required paperwork was not filed timely. Following testimony and Board questions, discussion and deliberation, Commissioner Brooks made a motion to deny Protest No. 24017. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 1:47 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – FIRST UNITED METHODIST CHURCH, PROTEST NOS. 24003 AND 24004

The Board of County Commissioners, sitting as a Board of Equalization, met today at 1:47 p.m. to conduct a property tax exemption protest hearing for First United Methodist Church, Protest Nos. 24003 and 24004, PIN 29230010 0 and 78392000 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Administrative Property Appraiser Supervisor Greg Himes, Assessor's Business Manager Jennifer Loutzenhiser, Administrative Assistant Helena Thompson, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorenson, Jeff Hess, Robert Walters, Ron Walter, other interested citizens, and Deputy Clerk Monica Reeves. Jeff Hess offered testimony in support of the protest application. The church has volunteer staff who took the material home and was unaware of the significance of it, and when the email from the Assessor's Office came in it went to an inbox that was not managed daily so they were unaware of the email until after the fact. The required paperwork was filed; however, it was after the deadline. Mr. Hess believes the Board has the discretion, pursuant to Idaho Code,

to grant the exemption. The tax amount is about \$40,000 which is 20% of the church budget and it will devastate their community outreach. Assessor's Business Manager Jennifer Loutzenhiser and Assessor Brian Stender offered testimony on behalf of the Assessor's Office. There is a hardship program for people and organizations who are overly burdened with property taxes. Mr. Hess asked for a postponement of the hearing so the County's legal counsel can consider his question. Following testimony and Board questions, discussion and deliberation, Commissioner Brooks made a motion to deny Protest Nos. 24003 and 24004. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:00 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – NEW LIFE CELEBRATION, PROTEST NOS. 24001 AND 24002

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:00 p.m. to conduct a property tax exemption protest hearing for New Life Celebration, Protest Nos. 24001 and 24002, PIN 04774000 0 and 04778000 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Administrative Property Appraiser Supervisor Greg Himes, Assessor's Business Manager Jennifer Loutzenhiser, Administrative Assistant Helena Thompson, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorenson, Brett Clemens, Erica Clemens, other interested citizens, and Deputy Clerk Monica Reeves. Brett Clemens offered testimony in support of the protest application noting that previous church leadership did not submit the required paperwork by the deadline. Assessor's Business Manager Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office and suggested the organization seek the hardship exemption. Following testimony and Board questions, discussion and deliberation, Commissioner Brooks made a motion to deny Protest Nos. 24001 and 24002. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:04 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – NAMPA AERIE NO. 2103 FOE, AND NAMPA AERIE #2103 FOE, PROTEST NOS. 24042 AND 24043

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:05 p.m. to conduct a property tax exemption protest hearing for Nampa Aerie No. 2103 FOE, and Nampa Aerie #2103 FOE, Protest Nos. 24042 and 24043, PIN 04774000 0 and 04778000 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Administrative Property Appraiser Supervisor Greg Himes, Assessor's Business Manager Jennifer Loutzenhiser, Administrative Assistant Helena Thompson, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorenson, Ron Berglund, Sue Griffiths, and Deputy Clerk Monica Reeves. Sue Griffiths and Ron Berglund offered testimony in support of the protest application and stated there were personnel changes and the required paperwork was not filed by the deadline. Assessor's Business Manager Jennifer Loutzenhiser offered testimony on behalf of the Assessor's Office noting that the April 15 deadline was not met. She encouraged the organization

to explore a hardship exemption process. Following testimony and Board questions, discussion and deliberation, Commissioner Brooks made a motion to deny Protest Nos. 24042 and 24043. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:14 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – HEARTLAND RECREATIONAL VEHICLES, LLC, PROTEST NOS. 24143 and 24144

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:15 p.m. to conduct a property tax assessment protest hearing for Heartland Recreational Vehicles, LLC, Protest Nos. 24143 and 24144, PIN 31028000 0 and 31027010 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Administrative Property Appraiser Supervisor Greg Himes, Assessor's Business Manager Jennifer Loutzenhiser, Administrative Assistant Helena Thompson, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorenson, and Deputy Clerk Monica Reeves. The appellant did not appear today. Commissioner Van Beek made a motion to uphold the Assessor's value on Protest Nos. 24143 and 24144. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 2:16 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – GRDMJI, LLC, PROTEST NO. 24028

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:16 p.m. to conduct a property tax assessment protest hearing for GRDMJI, Protest No. 24028, PIN 07992000 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Administrative Property Appraiser Supervisor Greg Himes, Assessor's Business Manager Jennifer Loutzenhiser, Administrative Assistant Helena Thompson, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorenson, and Deputy Clerk Monica Reeves. The appellant did not appear today. Kevin Sorenson and Greg Himes offered testimony on behalf of the Assessor's Office and recommended a slight decrease in the valuation in order to be consistent with how they have treated other hotels and motels. Commissioner Brooks made a motion to modify and approve a value of \$2,613,050, which is broken down by a land value of \$612,150 and an improved value of \$2,000,900 for Protest No. 24028. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 2:20 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER 2024 HOMEOWNER'S EXEMPTIONS PROCESSED AFTER THE FOURTH MONDAY IN JUNE

The Board of County Commissioners, sitting as a Board of Equalization, met today at 2:20 p.m. to consider the homeowner's exemptions presented by the Assessor's Office. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Administrative Property Appraiser Supervisor Greg Himes, Assessor's Business Manager Jennifer

Loutzenhiser, Administrative Assistant Helena Thompson, Commercial Supervisor Mike Cowan, and Deputy Clerk Monica Reeves. A couple years ago the legislature removed the deadline for the homeowner's exemption so the Assessor's Office can consider the exemptions all year long. Ms. Loutzenhiser presented a spreadsheet listing 44 parcels they have administered homeowner's exemptions on since the fourth Monday in June. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the 44 homeowner's exemptions as presented by the Assessor's Office. The meeting concluded at 2:23 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – SUNDANCE COMMERCIAL, LLC, PROTEST NO. 24161

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:03 p.m. to conduct a property tax assessment protest hearing for Sundance Commercial, LLC, Protest No. 24161, PIN 14990007A 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Administrative Property Appraiser Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorenson, and Deputy Clerk Monica Reeves. The appellant did not appear today. Commissioner Van Beek made a motion to uphold the Assessor's value on Protest No. 24161. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 3:05 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER ASSESSOR ADJUSTMENTS TO 2024 CERTIFIED VALUES #3 AND NAMPA HANGARS AA*

The Board of County Commissioners, sitting as a Board of Equalization, met today at 3:06 p.m. to consider the Assessor's adjustments to the 2024 certified values #3 and Nampa Hangars AA*Office. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Administrative Property Appraiser Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Kevin Sorenson, and Deputy Clerk Monica Reeves. The adjustments were considered as follows:

Assessor Adjustments to 2024 Certified Values #3

3rd Street Distribution, LLC

There is no ability to build on this parcel so the Assessor adjusted the value by \$189,980. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the adjustment as per the Assessor's recommendation.

Assessor Adjustments to 2024 Certified Values for the Nampa Hangars AA*

These are parcels that have not been appealed but they were a part of discussions during the BOE season. Kevin Sorenson, Mike Cowan, and Greg Himes offered comments on the adjustments and said it was about getting the characteristics and the values correct. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board

voted unanimously to approve the adjustments for the Nampa Hangars AA resulting in a reduction of \$1,646,700 as presented by the Assessor's Office.

The meeting concluded at 3:21 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2024 TERM

CALDWELL, IDAHO JULY 3, 2024

APPROVED CLAIMS

- The Board has approved claims 607308 to 607357 in the amount of \$266,042.52
- The Board has approved claim 607430 in the amount of \$8,664.38

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Bob Barker in the amount of \$5,680 for the Sheriff's Office (PO #5848)
- BOE in the amount of \$9,279.23 for the Information Technology Department (PO #6048)
- High Focus, LLC in the amount of \$25,000 for the Sheriff's Emergency Management Office (PO# 5849)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- John McPartland, Sr. Weed & Pest Tech
- Marissa Sandoval, Clerk II, Court Clerk's Office

BOARD OF EQUALIZATION – 3110 CLEVELAND, LLC, PROTEST NO. 24012

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:38 a.m. to conduct a property tax assessment protest hearing for 3110 Cleveland, LLC, Protest No. 24012, PIN 04072000 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Administrative Property Appraiser Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Speiser, Elijah Lindstrom from 3110 Cleveland, LLC, Assessor's Office personnel, and Deputy Clerk Monica Reeves. Elijah Lindstrom offered testimony in support of the protest application. Appraiser Darryl Speiser offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion, and deliberation, Commissioner Brooks made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:17 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – GRACE, LLC, AND GRACE AT CALDWELL, LLC, PROTEST NOS. 24019 AND 24022

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:24 a.m. to conduct a property tax assessment protest hearing for Grace, LLC, and Grace At Caldwell, LLC, Protest Nos. 24019 and 24022, PIN 32219017 0, and 35373012 0. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Administrative Property Appraiser Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Speiser, and Deputy Clerk Monica Reeves. The appellant did not appear today but sent an email on July 2, 2024 requesting the Board uphold the values so they could pursue the matter with the Board of Tax Appeals. Commissioner Brooks made a motion to uphold the Assessor's value on Protest Nos. 24019 and 24022. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 10:25 a.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – APPROVE ASSESSOR'S ADJUSTMENTS

The Board of County Commissioners, sitting as a Board of Equalization, met today at 10:25 a.m. to consider adjustments submitted by the Assessor's Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Administrative Property Appraiser Supervisor Greg Himes, Commercial Supervisor Mike Cowan, Commercial Appraiser Darryl Speiser, and Deputy Clerk Monica Reeves. The Assessor's Office submitted a spreadsheet for the Board's review which included adjustments made on two parcels which totaled \$2,494,200. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the Assessor adjustments to the 2024 certified values #4 as presented. The Assessor's Office submitted a spreadsheet for the Board's review which included adjustments made on seven parcels which totaled \$432,400. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the Assessor adjustments to the 2024 certified values for the Nampa hangars AA #2 as presented. The Assessor's Office submitted a spreadsheet for the Board's review which included adjustments they made on seven parcels which totaled \$1,262,900. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the Assessor adjustments to the 2024 certified values for the Nampa hangars withdrawals list as presented. (A copy of the spreadsheets with the detailed information are on file with this day's minute entry.) Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The meeting concluded at 10:31 a.m. An audio recording is on file in the Commissioners' Office.

EMERGENCY MEETING: EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1) (D), (F) AND (I) REGARDING RECORDS EXEMPT FROM PUBLIC DISCLOSURE, TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION, AND TO COMMUNICATE WITH THE COUNTY'S RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

At 10:43 a.m. the Board went on the record for an emergency meeting. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. (Chief Operating Officer Greg Rast arrived at 10:55 a.m.) Deputy PA Zach Wesley said we don't have an action item or agenda item for legal staffing today and the Board has concluded its morning Board of Equalization hearings and he believes we can use an emergency meeting motion and order to get into Executive Session. The agenda should be amended with the emergency meeting pursuant to Idaho Code, Section 74-204 to convene an emergency meeting and the emergency has to involve injury or damage to persons or property; immediate financial loss; or the likelihood of such injury, damage, or loss. It seems like the topic of discussion is related to County physical assets, real property, and the potential for immediate financial loss or likelihood of such loss and so 24-hour notice is impractical and would increase the likelihood of such loss. No media has requested notification of the emergency session. Commissioner Van Beek made a motion to adjourn into Executive Session under the emergency meeting motion and order found in Idaho Code, Section 74-204 as per legal counsel, and to amend the agenda noting the Board is engaging in an emergency Executive Session. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion to enter into Executive Session with Commissioners Van Beek, Brooks, and Holton voting in favor of the motion. The motion carried unanimously. Chief Operating Officer Greg Rast arrived at 10:55 a.m. The Executive Session concluded at 11:10 a.m. with no decisions being reached. Chairman Holton noted that per counsel's direction the Board went into Executive Session under Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation, and to communicate with the County's risk manager regarding pending/imminently likely claims. The meeting adjourned at 11:11 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING WITH SETH GRIGG FROM THE IDAHO ASSOCIATION OF COUNTIES REGARDING THE STATE PUBLIC DEFENSE

The Board met today at 2:32 p.m. with Seth Grigg from the Idaho Association of Counties regarding the State Public Defense. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot (left at 3:29 p.m.), Auditing Supervisor Sarah Winslow (left at 3:29 p.m.), Sr. Systems Analyst Steve Onofrei, Chief Public Defender Aaron Bazzoli, Director of Court Operations Jess Urresti, COO Greg Rast, Seth Grigg with IAC and Deputy Clerk Jenen Ross.

Commissioner Holton said that Canyon County public defense was running smoothly and with the state taking over it's feeling very intrusive and ambiguous at different points.

Mr. Grigg said there are several components to this transition including the transition of the institutional public defenders and all the contract and conflict attorneys that are currently contracted with the counties, facility issues for the institutional offices and the transition of employees.

In regard to the transition of employees, Mr. Grigg said that at some point late in the day on September 30th all individuals employed by the county will be onboarded to state employees so they have benefits starting October 1st. There will be a financial impact to the county as those employees will need be paid out on their vacation accruals according to each county's policy and/or have the option of 40 vacation hours being rolled over to the state.

As of October 1st, all contract attorneys will rollover and become contracted by the state. Office space will need to be provided by each county for the next five (5) years. After that time the state will either need to enter into an agreement with the county to rent the space or find a space of their own. Mr. Grigg's interpretation of the statute is that the requirement is for the space itself, the county is not obligated to provide furnishings, equipment or supplies; utilities and internet expenses can and should be reimbursed. Court related expenses associated with public defense and who ultimately has responsibility for those is still being worked through.

There has been \$500,000 appropriated by the legislature for the Guardian ad Litem program, however, the county will initially incur the expense and then have to submit for reimbursement from the state. The issue will come into play once that \$500,000 has been exhausted.

Mr. Grigg addressed Mr. Rast's question regarding salary discrepancies for employees moving from county employees to state employees. He explained that he believes the pay structure has been approved but hasn't been released yet. His understanding is that the State Public Defender, Eric Fredrickson, plans to send a survey to all of the institutional public defenders in order to assess years of experience, practice area and their experience which will be used to slot them into the pay matrix; until that information is released it's hard to say where people will slide in. Discussion ensued regarding the technology need and case management software. Mr. Bazzoli said that the state has a new case management system they've requested new cases start being added to and that old cases that will still be open in October be added manually. All other closed cases and data will be stored by the county in "cold storage/archive", however, there is a question about the cost to the county in maintaining this storage. Mr. Grigg said there has been a push for more meetings of the transition team because these are some of the topics they need to be addressing. Clerk Hogaboam said that what was presented as taxpayer savings is now almost \$1M in continuing fees, funds and costs when considering the ancillary costs which could potentially be more when adding in IT expenses.

Mr. Grigg requested a list of items that the public defender, the courts and the county are responsible for under the current structure as this will give them information to be able to push back with.

Further discussion ensued regarding employee resources and liability logistics/risk management once the transition of employees takes place; and the ability to have all data/records transferred as of October 1st.

When asked about funding for state public defense, Mr. Grigg explained that the majority of the funding comes from online sales tax, \$36M provides the base and anything in excess is appropriated from the state general fund. It's around \$50-51M for FY2025.

Clerk Hogaboam spoke about how the perception was this was tax relief because the state was taking a levy off and associated liabilities away from the counties but if counties are still left with some of the cost liabilities without the levying authority there are just more hands competing for a finite amount of money. In a sense it is an unfunded mandate with the levy being removed. Mr. Grigg said that historically the legislature has been receptive to making changes in order to address unfunded mandates.

The meeting concluded at 3:32 p.m. and an audio recording is on file in the Commissioners' Office.

JULY 2024 TERM

CALDWELL, IDAHO JULY 5, 2024

No meetings were held this day.

JULY 2024 TERM

CALDWELL, IDAHO JULY 8, 2024

APPROVED CLAIMS

- The Board has approved claims 607158 to 607179 in the amount of \$10,927.96
- The Board has approved claims 607180 to 607220 in the amount of \$629,177.67
- The Board has approved claims 607221 to 607265 in the amount of \$45,106.85
- The Board has approved claims 607266 to 607303 in the amount of \$154,417.43
- The Board has approved claims 607358 to 607402 in the amount of \$243,130.67
- The Board has approved claims 607403 to 607429 in the amount of \$30,534.50
- The Board has approved claims 607431 to 607460 in the amount of \$21,297.22
- The Board has approved claims 607461 to 607481 in the amount of \$31,748.93
- The Board has approved claims 607482 to 607519 in the amount of \$72,312.63
- The Board has approved claims 607520 to 607546 in the amount of \$333,964.45
- The Board has approved claims 607547 to 607559 in the amount of \$5,925.00
- The Board has approved the May jury claim in the amount of \$33,775.99

- The Board has approved the June jury claim in the amount of \$4,581.78

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Marty Danner - HR Director, new hire
- George Edward Yarbrough – Deputy Criminal PA II, new hire

EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER, AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE, PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B) AND (D)

Commissioner Van Beek made a motion to go into Executive Session at 8:37 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. 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 and COO Greg Rast. The Executive Session concluded at 8:52 a.m. with no decision being called for in open session.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR TIMOTHY AND JULIE SCHELHORN, PROTEST NO. 24040

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:30 a.m. to conduct a property tax assessment protest hearing for Timothy and Julie Schelhorn, protest no. 24040. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Appraisal Supervisor Greg Himes, Chief Deputy Assessor Joe Cox, Commercial Supervisor Mike Cowan, Residential Supervisor Holly Hopkins (left at 9:32 a.m.) and Deputy Clerk Jenen Ross. The Schelhorn's nor their representative were present for today's hearing. Mike Cowan offered testimony on behalf of the Assessor's Office. Following testimony and Board questions, discussion and deliberation, Commissioner Brooks made a motion to uphold the Assessor's value. The motion was seconded by Commissioner Van Beek and carried unanimously. The hearing concluded at 9:35 a.m. and an audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION – TAX ASSESSMENT PROTEST HEARING FOR EMBASSY INC AND TWIN ISLAND LLC, PROTEST NOS. 24075, 24072, 24073 AND 24074

The Board of County Commissioners, sitting as a Board of Equalization, met today at 9:36 a.m. to conduct a property tax assessment protest hearing for Embassy Inc and Twin Island LLC, Protest Nos. 24075, 24072, 24073 and 24074. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Appraisal Supervisor Greg Himes, Chief Deputy Assessor Joe Cox, Commercial Supervisor Mike Cowan and Deputy Clerk Jenen Ross. Joe Cox noted that he had spoken with Attorney Andrea Rosholt regarding these cases and they determined it would be best for the cases to be upheld in an effort to resolve prior to going to the State Board of Tax Appeals. Based on Mr. Cox's recommendation, Commissioner Van Beek made a motion and a secondary motion to

uphold the Assessor's value on protest nos. 24075, 24072, 24073 and 24074. Both motions were seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 9:38 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION GRANTING NEW ALCOHOLIC BEVERAGE LICENSES TO LB FALL RIVER LLC DBA LONGBOARDS AND TIKI'S SHAVE ICE LLC DBA TIKIS SHAVE ICE & BAR

The Board met today at 10:30 a.m. to consider a resolution granting new alcoholic beverage licenses to LB Fall River LLC dba Longboards and Tiki's Shave Ice LLC dba Tikis Shave Ice & Bar. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. Commissioner Brooks noted that he has reviewed the licenses and is in favor of approving, he then made a motion to sign the resolution granting new alcoholic beverage licenses to LB Fall River LLC dba Longboards and Tiki's Shave Ice LLC dba Tikis Shave Ice & Bar (resolution no. 24-136). The meeting concluded at 10:32 a.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP NO. 2 FOR THE CONSTITUENT SERVICES DEPARTMENT, AND CLERK/BOARD DISCUSSION AND REVIEW OF ALL WORKSHOP NO. 1 CHANGES

The Board met today at 1:02 p.m. to conduct the FY2025 Budget Workshop No. 2 for the Constituent Services Department, and for the Clerk/Board discussion and review of all workshop No. 1 changes. Present were: Commissioners Brad Holton and Zach Brooks, Commissioner Leslie Van Beek participated via speak phone from 1:02 to 1:22 p.m., Constituent Services Director Aaron Williams, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Controller Kyle Wilmot, COO Greg Rast, DSD Director Sabrina Minshall, Senior Systems Analyst Steve Onofrei arrived at 1:23 p.m., and Deputy Clerk Monica Reeves. Director Williams reported on the Constituent Services Department budget as follows:

"A" Budget Requests

- Communication Specialist - Grade Adjustment from Grade 13, Range 3 to Grade 14, Range 2
- New Policy Analyst position to help with efficiency, accountability and foresight; provide uniform policies across departments; clear and accessible guidelines; and will identify and eliminate redundant or outdated policies, and streamlining administrative policies. The position will save time, reduce bureaucratic hurdles, and make operations more agile and responsive.

Following questions, Director Williams said he would agree to remove the \$20,000 in part-time funds and putting it toward the policy analyst position.

"B" Budget Requests

- \$85,000 for a professional consultant to develop a capital improvements plan

- \$23,186.25 (\$10,490 annual fee) for public records request software
- Push notification software options
 - Textedly plus membership at \$69 a month (\$850 a year)
 - Textgov \$28,000 (\$20,000 year after year)
 - \$18,4000 (\$12,000 year after year)

The Board is in favor of the Textedly software. Commissioner Brooks supports the request for push notification software, and although he agrees with the necessity of a policy analyst position, we cannot afford it. Commissioners Van Beek and Holton want to leave it in the budget for now and consider it again as part of the third workshop. (Commissioner Van Beek's phone call ended at 1:22 p.m. and she joined the meeting in person at 1:23 p.m.) (Director Williams and Director Minshall left at 1:27 p.m.)

The Clerk's budget workshop was scheduled for this afternoon at 2:00 p.m., but Clerk Hogaboam needs additional time to work on it. Currently, Jess Urresti is the appointed chief deputy and the thought is to keep him in his current PCN and assign a specialty pay for the added responsibilities. Another option is to u-fund his current PCN because he would still function as the court clerk, and a year from now perhaps Mr. Urresti could reactivate that with a potential succession planning and do that in a cost neutral way by eliminating a position or two below him. It's a two-year plan but the initial impact would be to take either the chief deputy position or the senior court clerk position off the books in FY2025. The Clerk wants to do a deeper dive on the print on demand units for the Elections Office which. Initially they asked for \$300,000, but he believes the number will be lowered to \$200,000. The Clerk's second workshop will be rescheduled to July 11, 2024.

Clerk/Board Discussion and Review of All Workshop No. 1 Changes

COO Rast reviewed the spreadsheet that showed a recap of all Workshop No. 1 changes and said the Board needs to determine which offices/departments need to come back.

Board of Commissioners

One position was removed, and they added \$3,000 for hospitality events (when hosting outside events for lunch, legislative meetings with the public, etc.) The second workshop will be cancelled.

Constituent Services

Workshop No. 2 was held earlier this afternoon.

Assessor Reappraisal

The adjustments have been done and highlighted as yes on the dollar amounts. There is a reorganization in place of \$160,000. A second workshop will be held later this afternoon.

Assessor Motor Vehicle

There is another reorganization with some adjustments as well as questions regarding the “B” Budget. Another workshop will be held.

Clerk of Court

This budget flatlined. The only potential change is related to the PCN for the chief deputy position. The net increase would be the difference in pay and they would remove the fulltime employee off the Auditor’s books. The Clerk will be back later this week for further discussion on the following budgets: Courts, Elections, Recorder, Auditor, and County Assistance.

Coroner

Includes two new positions and an equity adjustment. A second workshop will be held.

Sheriff’s Office

CCNU was missed on the first round of workshops so it needs to be discussed. There will be another workshop for the Sheriff’s Office. There are no changes on the motor boat license division, emergency communications division, or the dispatch division.

Prosecuting Attorney

There are a lot of moving parts so a second workshop will be held.

Treasurer

One small change was completed. The second workshop will be cancelled.

County Agent

There have been discussions about moving the budget from The Fair fund to current expense. The second workshop will be cancelled.

Fair/Fair Building

There are no other changes so the second workshop will be cancelled.

Juvenile Detention

There was an adjustment from \$35,000 to \$21,000 for computer equipment and the Director chose to do it this fiscal year and so he dropped his FY2025 request. The second workshop will be cancelled.

Juvenile Probation

The second workshop will be cancelled.

Misdemeanor Probation

No changes. The second workshop will be cancelled.

Human Resources

Adjustments have been made. The second workshop will be cancelled.

Development Services Department

The Auditor's Office will check on the status of the engineering coordinator position. The second workshop will be cancelled.

Fleet

A second workshop is necessary.

Facilities

A second workshop is necessary to review the capital projects and potentially spread those projects to the appropriate budgets.

Weed/Pest

A second workshop is necessary.

Parks

There is a new position request. A second workshop is necessary.

Landfill

There is a reorganization request and so a second workshop is necessary.

IT

Adjustments will be made on the "B" Budget so a second workshop is necessary.

Public Defense

The second workshop will not be necessary.

TCA

There are several adjustments in the TCA budgets as well as two new part-time staff, and two part-time positions that are going to fulltime on the marshals side. A second workshop will be necessary.

There are 21 new positions requested for FY2025. There is also a vacancy report that shows all vacancies; 6+ month vacancies, and a 1 year+ vacancies, and a capital improvements list. A separate meeting will be held to discuss the proposal for funding but not filling the positions.

Clerk Hogaboam wants to hear more about the revenue projections for the Facilities and Weed budgets because there is a \$400,000 difference between revenue and expenses, and we levied \$250,000 which would close some of that gap but it would be short by \$150,000 if we levied the same amount, and their fund balance cannot handle that. There is an assumption that the new position would generate more revenues but short of good estimates on revenue projections it would be dangerous to hire that person unless you want to levy \$400,000 which means less money getting levied into another fund. COO Rast said the revenue on the weed control budget is \$132,000 but he doesn't think the anticipated revenue with the new position is in that \$132,000

amount. If the new position will generate more revenue that amount needs to come up. Commissioner Van Beek said there was a proposal to have that cost shared with Fish and Wildlife. The Clerk needs more information to make sure the revenue was captured. COO Rast will look into it.

The meeting concluded at 2:01 p.m. An audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP NO. 2 FOR THE ASSESSOR'S OFFICE

The Board met today at 2:06 p.m. for the FY2025 Budget Workshop No. 2 for the Assessor's Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assessor Brian Stender, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Controller Kyle Wilmot, COO Greg Rast, Senior Systems Analyst Steve Onofrei, and Deputy Clerk Monica Reeves. A review of the Assessor's budget was as follows:

Motor Vehicle Division:

There were adjustments to two grades, and it affected eight positions at a cost of \$148,000. There was \$150,000 in the line item.

\$50,000 for a remodel

Assessor Stender hopes to know more in August when he hears from the Idaho Transportation Department and said if he knew it would be here long-term he would like to open an office in Nampa and downsize the office in Caldwell.

COO Rast asked if the \$50,000 for the capital construction contracts for desks can wait a year. Assessor Stender said his intent is to generate enough revenue to cover the expenses. He anticipates adjusting the administration fee for both title and registrations the first of the year. They collect a lot of sales tax revenue for the state, but the DMV only collects \$1 for each transaction they conduct. If the \$50,000 for the capital item is left in the DMV budget it can be tied to the facility and it will be an expense against the revenue they will establish. Commissioner Van Beek said there is not enough room to do it this year unless the Assessor can self-fund and it can come out of what is generated in increase. Further discussion ensued regarding revenue projections and the increase in admin. fees. Assessor Stender will attend the Facilities Department workshop on July 22nd as there six projects for his office and they can talk about the \$50,000 project at the time. Commissioners Holton and Brooks believe the amount should be moved to the Facilities budget.

Reappraisal Division:

Assessor Stender will work with HR on the reclassification request for the appraisal staff which has a placeholder amount of \$160,000. A third workshop will be held on this topic on July 22nd.

Recommends reducing the miscellaneous professional services line item to \$138,500. COO Rast said that is where we will add the \$10,000 split between the Pest and Weed Departments.

There was discussion regarding the unfunded positions in the reappraisal division and pay equity.

The \$35,000 vehicle request was removed.

\$70,000 request for glass storefront and dividers. Commissioner Van Beek said this might have to wait until next year. It's on the list of capital projects for review. Collectively there is over \$2M in capital projects and so more discussions will occur in upcoming budget workshops.

There was discussion about the occupancy revenue, tracking of revenue, use of fund balance, and planning for known multi-year projects.

The meeting concluded at 3:08 p.m. An audio recording is on file in the Commissioners' Office.

BOARD OF EQUALIZATION MATTERS TO CONSIDER ASSESSOR ADJUSTMENTS

The Board met today at 4:30 p.m. as the Board of Equalization to consider Assessor adjustments. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assessor Brian Stender, Appraisal Supervisor Greg Himes, Administrative Analyst Helena Thompson and Deputy Clerk Jenen Ross.

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant conditional ag exemptions to parcel nos. 32045010 0 and 32045011 0 for Naide, LLC.

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to grant homeowner exemptions to the following 13 parcels:

- Parcel no. 01086000 0
- Parcel no. 08915000 0
- Parcel no. 14285661 0
- Parcel no. 27493010 0
- Parcel no. 29261275 0
- Parcel no. 29291148 0
- Parcel no. 30780523 0
- Parcel no. 31487285 0
- Parcel no. 32504560 0
- Parcel no. 33873180 0
- Parcel no. 33896101A0
- Parcel no. 33900237 0
- Parcel no. 34091161 0

Commissioner Brooks made a motion to adjourn the Board of Equalization Annual Roll. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 4:38 p.m. and an audio recording is on file in the Commissioners' Office.

JULY 2024 TERM

CALDWELL, IDAHO JULY 9, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Pluralsight in the amount of \$11,180.00 for the Information Technology department (PO #6049)
- Insight in the amount of \$36,804.00 for the Information Technology department (PO #6050)
- SHI in the amount of \$27,061.50 for the Information Technology department (PO #6051)
- SHI in the amount of \$274,136.11 for the Information Technology department (PO #6052)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Elsa Sanchez, Driver's License Customer Service Specialist, new hire
- Randal J. Ragsac, Deputy Judicial Marshal, rehire

FILE IN MINUTES

- Treasurer's Monthly Report for May 2024

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- O'Michael's Pub & Grill to be used on 8/3/24 for the Clausen wedding
- O'Michael's Pub & Grill to be used on 8/5/24 for the Yenor wedding

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

The Board met today at 9:49 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Fair Director Diana Sinner (left at 9:33 a.m.), Facilities Director Rick Britton (left at 9:35 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Parking Lot Rental agreement with Caldwell Bowling, Inc. for the 2024 Canyon County Fair:

This is the standard agreement that has been used for several years. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the parking lot rental agreement with Caldwell Bowling, Inc. for the 2024 Canyon County Fair (agreement no. 24-066).

Consider Canyon County Fire Protection Project Agreement with Delta Fire Systems: Director Britton said this agreement is not yet ready and would like to postpone for 3-4 weeks in order for it to be finalized. This action item will be added to the agenda at a later date.

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 AND TO COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 9:36 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Brooks. Commissioner Brooks 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 Zach Brooks and Leslie Van Beek, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley and COO Greg Rast. The Executive Session concluded at 9:48 a.m. with no decision being called for in open session.

The meeting concluded at 9:49 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

MEETING TO CONSIDER DSD REFUND RESOLUTIONS

The Board met today at 10:15 a.m. to consider DSD refund resolutions. Present were: Commissioners Leslie Van Beek and Zach Brooks, DSD Office Manager Jennifer Almeida, DSD Director Sabrina Minshall and Deputy Clerk Jenen Ross. The action items were considered as follows:

Lance Thueson, Case No. SD2023-0019: At the direction of DSD a Simple Change to the Plat application was submitted, however, following a review of the case it was determined that an Easement Vacation application was more appropriate. Due this being on error on the part of Development Services a full refund of \$330.00 is being recommended. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution issuing a refund to Lance Thueson, case no. SD2023-0019 (resolution no. 24-137).

Seth Simpson, Case No. CU2023-0003: A conditional use permit for kennel was applied for but while the application was in the review process the operation was relocated and a conditional use permit is no longer necessary. Approximately 15% of the application fees were used and a refund of \$807.50 is recommended. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution issuing a refund to Seth Simpson, case no. CU2023-0003 (resolution no. 24-138).

Director Minshall noted for the record that when the fee schedule is updated they intend to update the guidelines for issuing refunds and asked the Board to start thinking about the subject.

At 10:22 Commissioner Van Beek motioned to adjourn the meeting. An audio file is on record in the Commissioners' Office.

FY2025 BUDGET WORKSHOP NO. 2 FOR THE SHERIFF'S OFFICE AND EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206 (1) (B) AND (D) REGARDING PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

The Board met today at 2:06 p.m. for FY2025 budget workshop no. 2 for the Sheriff's Office and executive session pursuant to Idaho code section 74-206 (1) (b) and (d) regarding personnel matters and records exempt from public disclosure. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Chief Deputy Sheriff Doug Hart, CCSO Financial Manager David Ivers, Cpt. Harold Patchett, Cpt. Chuck Gentry, Cpt. Ray Talbot, Fleet Director Mark Tolman, Sr. Systems Analyst Steve Onofrei, COO Greg Rast, Lt. Travis Engle and Lt. Chad Harrold (joined at 2:54 p.m. and left at 3:32 p.m.), Clerk Rick Hogaboam and Director of Court Operation Jess Urresti (arrived at 3:28 p.m.), and Deputy Clerk Jenen Ross.

Chief Hart said that in his discussions with Mr. Rast regarding some of the budget challenges for FY2025, he is proposing an adjustment to the positions they've requested. Those changes are as follows:

- Remove the driver's license position. Although he believes the analysis substantiates the need for the position he also thinks it could go another year to evaluate the wait times. This request was mainly based on wait times for those without appointments. Those who have appointments are served quickly and efficiently vs. those who walk-in are having to wait substantially longer.
- Project 1 – This was a request based on call volume and growth of the county, 4 additional deputy positions per year for a period of four years. After evaluating needs and staffing for this year, Chief Hart is proposing to reduce that to 3 deputy positions but that one of those positions be a sergeant position. He said they would create a 5th patrol team which would be in place during the highest call volume time periods. Overall the total savings for this change would be about \$226,000. Additionally, in relation to fleet it would mean one less patrol vehicle and associated equipment which would be a savings of approximately \$100,000.

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 2:19 p.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) regarding personnel matters and records exempt from public disclosure. 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, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Chief Deputy Sheriff Doug Hart, Sr. Systems Analyst Steve Onofrei, and COO Greg Rast. The Executive Session concluded at 2:54 p.m. with no decision being called for in open session.

Chief Hart spoke to some of the proposed compensation numbers. Currently budget line 413075 for compensation is at \$850,000 but based on the executive session discussion that number will be amended to \$674,552. A final decision will need to be made on this by the Board during the meeting to discuss compensation. At the request of Commissioner Van Beek, Chief Hart spoke about retention numbers and the success of the compensation plan implemented for the Sheriff's Office a couple years ago.

There are a few new requests but Chief Hart reviewed unspent 'A' and 'B' budgets as well as estimated revenue which is above projections. They are estimating approximately \$685,000 unspent in the 'A' budget, the estimate for the 'B' budget is \$225,000 to \$275,000 unspent and revenues are up \$1.8M over projections. The combined total of savings and excess revenues is approximately \$2.7M.

Documents were presented to the Board which reviewed several new projects the Sheriff's Office would like to add to their 3-year strategic plan. The projects they would like to fund from FY2024 are as follows:

- I-Pro Body Camera for Field and Security Services - \$211,246
- FLIR Night Vision devices - \$5198
- Completion of "Pistol" project - \$28,654
- WRAP for patrol teams - \$6000
- Patrol drones - \$29,764
- Crime lab fingerprint software - \$82,720
- Additional ammo purchase for pistol optics transition - \$12,000

FY2025 additional projects are as follows:

- Specialty pay updates - \$13,800
- Cellular telephone analytics software partnership - \$55,171

- Mindbase proactive peer support program - \$14,726
- Sheriff app - \$10,995

The Board is in agreement to the expenditures for the FY2024 project requests understanding that there will need to be an agenda meeting where a resolution is signed authorizing the transfer from the 'A' to 'B' budget. COO Rast clarified that there will be an agenda meeting to authorize the spending of the funds prior to the end of the fiscal year and a secondary meeting authorizing the transfer of funds which can be done at the end of the fiscal year. Further discussion ensued regarding best practices for budget transfers/adjustments.

A brief review was done of the CCNU budget which was missed during the Sheriff's original budget workshop. This budget remains relatively consistent with the request for FY2025 being \$8530 less than last year.

The meeting concluded at 3:36 p.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP

The Board met today at 3:42 p.m. for an FY2025 budget workshop. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Controller Kyle Wilmot, Senior Systems Analyst Steve Onofrei, Facilities Director Rick Britton, Director of Court Operations Jess Urresti, and Deputy Clerk Monica Reeves. Clerk Hogaboam presented a spreadsheet containing current budget information including the history of the County going back to 2017. The following highlights were reviewed:

The year-over-year budgetary increase in total salaries and benefits was modest in 2018 through 2021. In 2022, 2023 and 2024 there was \$20M in ongoing payroll commitments.

In 2023, the County levied \$40M and revenues came to a flat baseline. We should not view the reduction and what was levied at \$40M as being the singular reason why the budget is in a deficit environment because had the County levied \$55M and had \$15M more in revenue we still would have been ended the year in the minus because expenses grew.

Expenses in 2022 were \$104M and in 2023 they were \$119M, most of which was driven by salaries and benefits growing with a very significant ongoing commitment.

In 2018-2022 we went through five years in a row where we were generating more revenue than we were spending so we were building fund balance. In 2021 the County added over \$20M in fund balance, and \$12M in 2022. State-shared revenues were increasing year-over year by an average of 10% so the County was seeing \$1M to \$2M more than the prior year for 4-5 years in a row and we were beating revenue projections and were not fully expending our budget so that's how the County was in such a strong place.

In 2023, the ACFR shows we lost \$20M in net value and we will probably end the year with some level of deficit. We are still trying to catch up with some of these commitments and we are not getting a lot of help from the state in the sense that state-shared revenues from 2022 to 2023 went mostly flat, and 2023-2024 they were mostly flat, and we are budgeting flat for next year.

With \$20M in increased obligations and revenues only growing by \$4M-\$5M that is why we are seeing a \$15M ongoing deficit and there is no way to close that deficit unless we have increased revenues, or burn fund balance ,or cut back on the budget, or do a combination of all of those. The FY2025 budget reflects a \$2M placeholder for a real estate acquisition, and \$1.9M for jail pod 6, as well as some one-time capital costs. Clerk Hogaboam is concerned about the ongoing costs which is why he is focused on salaries and benefits and wants to have a productive conversation about any new position requests and existing vacancies and whether they should continue to be funded.

Currently, the budget does not include the \$600k for the PERSI employer contribution amount.

There was discussion regarding:

- How the County has been impacted by unfunded state mandates and how the unprecedented growth has created the need for more personnel with no great revenue stream to compensate.
- The need to fund for long-term capital projects and how we must look at long-term financial planning.
- Review of the history of tax levy rates, levy capacity and prior Boards' decisions to not take any of the 3% or any of the new construction.
- Proposing a utility allocation structure of anticipated costs that could be billed to the State of Idaho for items such as janitorial, water, electrical, and gas.
- The decree from the Idaho Supreme Court regarding technology services and equipment. COO Rast and Clerk Hogaboam have met with personnel from Ada County to discuss the two options the State is proposing; however, both Counties are hopeful for a third option because as it stands now they are at a technical impasse with the two options that have been offered. Currently there is no budget placeholder for this expense. This topic will require additional conversations.

There will be additional meetings to discuss capital needs and fund balance limits to get a better understanding of how the fund balances would move and adjust. The meeting concluded at 4:53 p.m. No Board action as required or taken. An audio recording is on file in the Commissioners' Office.

APPROVED CLAIMS

- The Board has approved claims 607134 to 607157 in the amount of \$13,388.60
- The Board has approved claim 607142 in the amount of \$405.00
- The Board has approved claim 607560 in the amount of \$75.00

APPROVED JULY 12, 2024 PAYROLL

- The Board approved the July 12, 2024 payroll in the amount of \$2,313,830.86

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

Commissioner Van Beek made a motion to go into Executive Session at 10:02 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. 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, Deputy P.A. Laura Keys (left at 11:12 a.m.), Clerk Rick Hogaboam (left at 11:12 a.m.), Controller Kyle Wilmot (left at 11:12 a.m.), Director of Constituent Services Aaron Williams (left at 11:12 a.m.), COO Greg Rast, Representatives from the West Valley Humane Society Board and the Idaho Humane Society (left at 11:05 a.m.) and Deputy P.A. Oscar Klaas (joined at 11:09 a.m.). The Executive Session concluded at 11:30 a.m. with no decision being called for in open session.

JULY 2024 TERM

CALDWELL, IDAHO JULY 11, 2024

APPROVED CLAIMS

- The Board has approved claims 607680 to 607682 in the amount of \$553.14
- The Board has approved claims 607561 to 607599 in the amount of \$63,981.77
- The Board has approved claims 607600 to 607639 in the amount of \$198,832.90
- The Board has approved claims 607640 to 607679 in the amount of \$37,469.69

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Grant's Grill to be used 8/31/24, 9/7/24, 9/21/24, and 10/26/24

- Uppercuts Barber Shop, LLC to be used 7/21/24

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Ryan Mills, Deputy Judicial Marshal
- Jeff Breach, Misdemeanor Probation Supervisor II - job title change due to HB508
- Mary Gomez, Misdemeanor Probation Supervisor I - job title change due to HB508
- Elda Catalano, Juvenile Probation Supervisor III - job title change due to HB508
- Jose Orozco, Juvenile Probation Supervisor II - job title change due to HB508
- Ryan Gehring, Juvenile Probation Supervisor I - job title change due to HB508
- Linda Hall, Juvenile Probation Supervisor I - job title change due to HB508
- Jessica Ishida-Sanchez, Juvenile Probation Supervisor I - job title change due to HB508
- Sean Brown, Juvenile Detention Supervisor IV – job title change due to HB508
- Shawn Anderson, Juvenile Detention Supervisor III – job title change due to HB508
- Mike Richards, Juvenile Detention Supervisor II – job title change due to HB508
- Andrew Anderson, Juvenile Detention Supervisor II – job title change due to HB508
- Robert Martinez, Juvenile Detention Supervisor II – job title change due to HB508
- Roxana Page, Juvenile Detention Supervisor II – job title change due to HB508
- Tim Warner, Juvenile Detention Supervisor II – job title change due to HB508
- Myron Emly, Juvenile Detention Supervisor I – job title change due to HB508
- Hailee Moore, Juvenile Detention Supervisor I – job title change due to HB508
- Thomas Moore, Juvenile Detention Supervisor I – job title change due to HB508
- Abdiel Philpott, Juvenile Detention Supervisor I – job title change due to HB508

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 Brad Holton and Zach Brooks, Principal Planner Michelle Barron (left at 9:33 a.m.), Assistant DSD Director Jay Gibbons, DSD Director Sabrina Minshall (arrived at 9:32 a.m. and left at 9:35 a.m.), Director of Indigent Services Yvonne Baker (left at 9:37 a.m.), Case Manager Kellie George and Jenn Odom (left at 9:37 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Findings of Fact, Conclusions of Law, and Order for Case No. CU2023-0002-APL (Appeal by Bristlecone Land Use Consulting, Representing JC Excavation): Ms. Barron said that on June 17th the Board rendered a decision regarding the appeal of a staging area. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the Findings of Fact, Conclusions of Law, and Order for Case No. CU2023-0002-APL.

Consider signing Resolution Appointing Community Volunteer, Jayne Josephsen, to Board of Community Guardians: Ms. Baker said she has met with Ms. Josephsen who is professor of nursing at BSU and has an extensive skillset that will be valuable to the BOCG. Ms. Josephsen will be both a board member and guardian. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution appointing community volunteer, Jayne Josephsen to the Board of Community Guardians (resolution no. 24-139). Additionally, Ms. Baker will work with Communications Specialist Chad Thompson to highlight some of the BOCG members/guardians.

Consider Resolution Approving New Alcoholic Beverage License for The Brick Office, LLC dba The Brick Office: Commissioner Brooks said he has reviewed the application and everything seems to be in order, he then made a motion to approve the resolution for a new alcoholic beverage license for The Brick Office, LLC dba The Brick Office. The motion was seconded by Commissioner Holton and carried unanimously. See resolution no.-24-140.

The meeting concluded at 9:40 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER HR RESOLUTIONS

The Board met today at 1:31 p.m. to consider HR resolutions. Present were: Commissioners Brad Holton and Zach Brooks, HR Business Partner Jennifer Allen, Juvenile Probation Director Elda Catalano, Juvenile Detention Director Sean Brown, Assistant Juvenile Detention Director Sean Anderson, Director of Misdemeanor Probation Jeff Breach, COO Greg Rast and Deputy Clerk Jenen Ross.

Ms. Allen explained that effective July 1, 2024 House Bill 508 was amended to include POST certified Juvenile Detention Supervisors, Juvenile Probation Supervisors and Adult Misdemeanor Probation Supervisors, Emergency Communications Supervisors and the Idaho Department of Corrections to the Rule of 80 for the PERSI retirement plan. In order to comply with the Rule of 80 criteria, supervisor titles have been updated for better alignment. If approved today, these supervisors will now be classified as public safety members under the Rule of 80. COO Rast said that with these changes there is no salary impact but there is a small impact to the benefit portion which is outlined in each memo included with the resolution.

The action items were considered as follows:

Resolution Adopting Changes to the Job Title of Eleven (11) Positions in Juvenile Detention: Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution adopting changes to the job title of eleven (11) positions in Juvenile Detention (resolution no. 24-141).

Resolution Adopting Changes to the Job Title of Five (5) Positions in Juvenile Probation: Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted

unanimously to sign the resolution adopting changes to the job title of five (5) positions in Juvenile Probation (resolution no. 24-142).

Resolution Adopting Changes to the Job Title of Two (2) Positions in Misdemeanor Probation: Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution adopting changes to the job title of resolution adopting changes to the job title of two (2) positions in Misdemeanor Probation (resolution no. 24-143).

The meeting concluded at 1:40 p.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER FINAL PLAT FOR BRITTANIA NO. 9, CASE NO. SD2022-0036

The Board met today at 1:45 p.m. to consider the final plat for Brittania No. 9, Case No. SD2022-0036. Present were: Commissioners Brad Holton and Zach Brooks, Engineering Supervisor Dalia Alnajjar, DSD Assistant Director Jay Gibbons, Jeff Hess, and Deputy Clerk Monica Reeves. Supervisor Alnajjar reported that the preliminary plat was approved on June 23, 2016 subject to 11 conditions. All conditions have been met. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to approve the Chairman's signature on the final plat for Brittania No. 9, Case No. SD2022-0036, as all conditions have been satisfied. The meeting concluded at 1:47 p.m. An audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP NO. 2 FOR THE CLERK'S OFFICE

The Board met today 2:02 p.m. to conduct the FY2025 budget workshop No. 2 for the Clerk's Office. Present were: Commissioners Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Controller Kyle Wilmot, Indigent Services Director Yvonne Baker, Senior Systems Analyst Steve Onofrei, Director of Court Operations Jess Urresti, Elections Office Manager Haley Hicks, JoDee Arnold, and Deputy Clerk Monica Reeves.

Auditor

Remove \$178,565.62 from salaries/benefits

- Keep the PCN for the Chief Deputy position but defund the position.

Court Clerk

Increase of \$14,518.55 for specialty pay for the designated chief deputy.

- The gross amount covers a net \$12,000 salary increase for the court clerk supervisor/designated chief deputy position as specialty pay for functioning as the designated senior clerk deputy.
- The reduction in the Court Clerk budget will be \$60,150.45

COO Rast believes the proposed salary increase for the designated chief deputy is light given the responsibilities of the position and he recommended it be adjusted up. (HR has not reviewed the proposed salary increase.)

County Assistance

Amended request of 21,470.77 for adjustments for new/reclassified positions

- \$5,172 adjustment for supervisor
- \$16,298.77 for equity adjustments for two PCN's given the employees' years of service.
This is new and was not included in the first workshop but he would like it go to the compensation workshop for review.

Elections

Current Expense:

Moved \$76,500 of services contracts from consolidated election to

Current Expense Elections

Originally requested \$25,000 in new/reclassified positions, but he is now seeking \$17,106.73.

- Adjustment for PCN 746 for the office manager in the amount of \$7,106.73 (salaries and benefits).
- \$10,000 additional for further review of the Elections Office.

Originally requested \$300,000 for capital needs but he is reducing it to \$200,000 (print on demand units). There was discussion regarding the equipment in the Elections Office.

\$1,000 for two shirts per employee in Elections Office

Recorder

This budget will remain as-is

Clerk Hogaboam reported on the following topics:

- They have interviewed applicants for the GIS position for the Elections Office, and they plan to transfer the position to the IT Department with the understanding that the person will be dedicated to election needs as a top priority.
- Guardian Ad Litem costs have been moved to community support. They are trying to zero out public defense to not cause confusion because the legislature is saying they are completely taking it over but there are items that need to be sorted out. He assumes there will be an MOU with local legal counsel who will agree to take the guardian ad litem with some sort of compensation rate per hour that is mutually agreeable. The statute says the

state shall reimburse for those costs, but they have a finite amount of reimbursement funds of \$500,000 for the year and we have to be prepared to incur that cost.

- Public Defense - They met with Eide Bailly to do some preliminary scheduling logistics and it seems the payout down to 40 hours vacation time might need to be made this current fiscal year because technically their last day of employment is in the current fiscal year. We might have to include that in a budget amendment if the payout exceeds what the budget capacity is.

There was Board consensus to move the Clerk's request to the budget process.

The meeting concluded at 2:51 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2024 TERM

CALDWELL, IDAHO JULY 12, 2024

No meetings were held this day.

JULY 2024 TERM

CALDWELL, IDAHO JULY 15, 2024

APPROVED CLAIMS

- The Board has approved claims 607719 to 607762 in the amount of \$148,620.01
- The Board has approved claims 607763 to 607764 in the amount of \$485.00

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for:

- Brandon Lancaster, Housekeeper

MEETING TO DISCUSS ADDITIONAL SHERIFF'S OFFICE CAPITAL PROJECTS

The Board met today at 3:32 p.m. for a meeting to discuss additional capital projects for the Sheriff's Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Deputy Sheriff Doug Hart, COO Greg Rast, Clerk Rick Hogaboam, Controller Kyle Wilmot, Senior Systems Analyst Steve Onofrei, Captain Harold Patchett, Lt. Martin Flores, Director of Court Operations Jess Urresti, and Deputy Clerk Monica Reeves. Last year the Sheriff's Office presented a strategic plan for personnel and capital equipment and they intended to spread the cost of those improvements over three years and try to utilize unspent funds for the purchases. The initial plan had 62 separate unidentified projects and out of unspent monies that were allocated to the

Sheriff's Office last year they were able to fund 25 of those projects. This year they have identified six additional critical projects that were not initially included in the 3-year strategic plan:

- \$211,246 for new body cameras that are GPS enabled
- \$5,198 for FLIR Night vision devices
- \$28,654 for completion of the pistol project
- \$6,000 for WRAP for patrol teams
- \$29,764 for patrol drones
- \$82,720 for crime lab fingerprint software
- \$12,000 for additional ammo purchase for pistol optics transition

The Sheriff Office has unspent funds already allocated for FY2024 that they would like to utilize to purchase the items which total \$375,582. Following comments, the Board voiced its support for the purchases. Chief Hart will provide updated paperwork showing what items have been purchased. The meeting concluded at 3:47 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2024 TERM

CALDWELL, IDAHO JULY 16, 2024

APPROVED CLAIMS

- The Board has approved claims 607765 ADV in the amount of \$42,015.90

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Laura Barbour, Parks, Cultural & Natural Resources Assistant Director, change from fulltime to part-time
- Angela Callanan, Deputy Prosecuting Attorney II, promotion

JULY 2024 TERM

CALDWELL, IDAHO JULY 17, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- MaryAnn (May) Witt, Deputy Public Defender I - Limited License
- Daniel Sklyarov, Deputy Sheriff
- William Kaufer, Deputy Sheriff

- Timothy Wood, Sergeant, add CERT pay
- Justin May, Deputy Sheriff, remove CERT pay
- Aaron Bazzoli, Chief Civil Deputy - Prosecutor's Office, transfer from Public Defender's dept.

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Liberty Lounge to be used July 21, July 24, July 25, July 26, August 1, August 3, August 10 and August 16, 2024.

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

The Board met today at 9:32 a.m. for a legal staff update and to consider action items. Present were: Commissioners Brad Holton and Leslie Van Beek, COO Greg Rast, Deputy PA Laura Keys, Deputy PA Oscar Klaas, Constituent Services Director Aaron Williams, Facilities Director Rick Britton, DSD Director Sabrina Minshall, Lt. Martin Flores, Emergency Communications Officer IV Roxane Wade, and Deputy Clerk Monica Reeves. Commissioner Zach Brooks arrived at 9:35 a.m. DSD Assistant Director Jay Gibbons arrived at 9:58 a.m. The action items were considered as follows:

Consider Addendum No. 1 for the 2024 Celebration Park Boater Improvements Project IFB, and the Addendum No. 1 for the 2024 Celebration Park Boardwalk and Decking Project IFB - Deputy PA Klaas said the addendums are part of the process to answer questions from potential bidders who participated in a walk-thru last week. Director Britton said eight contractors attended the pre-bid conference and they looked at doing both projects at the same time. Time is of the essence as the decking project needs to be done this fiscal year. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve Addendum No. 1 for the 2024 Celebration Park Boardwalk and Decking Project. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve Addendum No. 1 for the 2024 Celebration Park Boater improvements Project.

Consider signing FY2025 Dedicated Enhanced Emergency Communications Grant Fee Fund Application - Communications Officer Roxanne Wade said this is a grant through the Idaho Public Safety Communications Commission for an upgrade to the higher ground recording system used in the Dispatch Center. The grant is in the amount of \$31,336. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the Grant Fee Fund Application for Dedicated Enhanced Emergency Communications for FY2025 as presented.

As part of the legal staff update there was discussion regarding the Agricultural Protection Area Act which went into effect July 1, 2024. DSD Director Sabrina Minshall wrote a summary and gave an overview of the two main components which are 1) we have to establish an APA ordinance of how we're going to implement the law, and 2) we have to establish an APA Commission before January 1, 2025. (There were two handouts provided as part of this discussion, copies are included with the minutes.) Director Minshall reviewed the processes the County will have to follow and the implications of the Act and following her review there was discussion on the legislation. Commissioner Van Beek said this feels like state government stepping into local government and overstepping what they should be doing and she objects to that. If someone wants to preserve agriculture, they should buy the ground. She said Senator Todd Lakey ran legislation that passed and the main impact was the committee of nine process where he has engaged a different body of people that forces them to work together in looking how to resolve some of those issues at the legislative level that they totally ignored in this last legislative session. Her frustration is there are people who have never driven a tractor, do not own ground, and cannot set a siphon tube talking about how to preserve Ag ground. She sees a lot of problems with this mentality where they don't want to buy the ground, they want it to go at a less than market price so they can benefit from inappropriate market manipulation. Director Minshall said we have discretion to keep land use visions and how we apply those plans localized to what the circumstances are. One of the challenges is that when an APA is designated it's a 20-year period so we have to have that recognition as we are talking through policy objectives. There are things to talk through, such as the criteria within the taking the applications of what geographical areas Canyon County would even consider doing as an APA. We would require the applicant to address compatibility in reverse, how by preserving agriculture does it become compatible with the other long-range visions of what's happening in the other surrounding properties. It was intended to be a tool, and we have room to define what it means to the Board. Director Minshall is looking for Board direction on the schedule and future conversations that need to happen when we develop the ordinance. Staff's suggested schedule would start August 1, 2024 with developing the ordinance and a resolution establishing the commission, followed by P&Z Commission and BOCC public hearings, recruitment, and appointment of commission members, creation of commission bylaws, develop applications and internal procedures, updating the comprehensive plan, and begin taking applications. (August 1, 2024 through October 1, 2025.) Commissioner Brooks takes offense to the state telling him what his priorities need to be as a County Commissioner in a short time period, and he questioned what the recourse will be if this is not done by January 1, 2025. Deputy PA Klaas said that aspect can be discussed at another time under legal advice. Commissioner Van Beek said in the absence of input from the leaders in local government that is political action committee groups driven by money and other interests that put things in place and we've seen that over and over with legislation that is passed. They did not talk to the people who have to implement this and she objects to that. Commissioner Holton expressed frustration with the legislature imposing this without public input. Commissioner Van Beek said she has no desire to see our state or local government shift for a socialistic mindset or communism. What we are seeing coming out of the turmoil at the legislative level is a dictatorship and they do not understand the unintended consequences of the legislation they are passing. Director Minshall recommends, in lieu of a different path through legal, that we comply with exactly and at the bare minimum of what we are required to do. We should get the ordinance in place with the input of

the P&Z Commission but don't appoint a commission and give too much latitude for people who are in those interest areas to drive something that is not consistent with the values and policies of the County. Commissioner Van Beek agrees. Commissioner Holton said this topic wasn't on the Board's agenda today and he wants to have a workshop so the public is aware the Board is discussing it. Director Minshall said it was part of the legal briefing today to give a summary of the legislation and a general schedule of a recommendation to consider moving forward. Constituent Service Director Aaron Williams said we need to spend some time looking for quality people to serve on the commission and make sure there is no agenda being pushed. There also needs to be a definition of what agricultural land is. Director Minshall said our zoning code defines agricultural land and it also defines it as grazing land, it doesn't have to be that you can grow row crops. We have code where you can get additional splits if they can say it's nonviable agriculture. Commissioner Holton wants to set a date for a workshop where the public can submit written questions ahead of time that the Board will discuss at the workshop. Public comment will not be taken at the workshop. Commissioner Van Beek said she wants the people who drafted the legislation to answer those questions. The Board will continue the legal staff update to July 19, 2024 at 9:30 a.m. The meeting concluded at 10:26 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH TETRA TECH FOR UPDATE ON THE LANDFILL EXPANSION PLAN

The Board met today at 10:31 a.m. for a meeting with Tetra Tech for an update on the landfill expansion plan. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Solid Waste Director David Loper, Landfill Operations Manager Daniel Pecunia, Maureen McGraw from Tetra Tech, COO Greg Rast, Clerk Rick Hogaboam, Controller Kyle Wilmot, and Deputy Clerk Monica Reeves. A PowerPoint presentation titled *Draft Landfill Conceptual Design*, as well as multiple maps, are on file with this day's minute entry.

Director Loper said there are four items we need to have in place to put waste on the ground and start using the new areas for waste burial:

- Local land use planning and zoning that's been done, except for the new 60 acres which they are still working on.
- Site certification
- Operations plan
- Design approval
 - Lined or unlined
 - The expansion will not go all the way to the property line

Maureen McGraw said the standard design for landfills include a composite liner or some sort of liner system. Pickles Butte has an arid design exemption, but DEQ is becoming reluctant to do arid exemptions because there are a lot of other landfills in Idaho with the exemption that have ended up with groundwater problems. Right now DEQ is not going to do any approvals for expansions that are greater than 50 years. Because the phase 3 portion that's being filled in is within the 5-6

year window of when they will fill that, they wanted to do something that would be approved and would expand on our arid exemption using part of that same footprint. Commissioner Holton expressed his frustration with DEQ's stance. Ms. McGraw spoke of the problems with one of the landfill wells due to improper construction of the well and of landfill migration migrating down the well and contacting the groundwater. They did a repair and were able to demonstrate through sampling that that was the correct mechanism. A key component to moving forward with the design was also to get the landfill gas system installed because that was a problem caused by landfill gas and poor construction of a well. Director Loper said if we design this to our property boundaries and go to DEQ for an approval it would be well over 75-100+ years and that's where they get cautious in what regulations will change. What we present will get us by for another 35-40 years hopefully with a no-liner situation. Commissioner Holton believes agencies are pushing too hard with their standards. There was a review of the maps Tetra Tech prepared, which are included with the minutes. They are currently working on Phase 3 and will utilize most of Phase 4. Director Loper believes we have a good chance of getting this done now and then perhaps they can push forward with the whole design and see where it goes. Clerk Hogaboam has questions about the closure costs. Director Loper said in 2025 they are slated to revisit the post-closure and closure care costs. It's a lot of volume, but it's not a lot of acreage and acreage is what determines the cost of the final cover and post-closure care. It will go up and we'll have to look at rates and make sure we are putting enough in the reserve account to cover that. A third party does the cost estimate. No Board action was required or taken. The meeting concluded at 11:05 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION – DISCUSS PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 11:14 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, HR Director Marty Danner, HR Investigator Rich Soto, and COO Greg Rast. The Executive Session concluded at 12:18 p.m. with no decision being called for in open session.

PUBLIC HEARING: REQUEST BY DAVID OLSEN FOR A MODIFICATION TO AN APPROVED CONDITIONAL USE PERMIT FOR A PUD FOR A MOBILE HOME PARK, CASE NO. CU2022-0035

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by David Olsen for a modification to an approved Conditional Use Permit for a planned unit development for a mobile home park, Case No. CU2022-0035. 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, David Olsen, and Deputy Clerk Monica Reeves. Principal

Planner Dan Lister gave the oral staff report. The applicant, David Olsen, is requesting a modification to an approved conditional use permit for a 7-unit mobile home park (CU2002-42) on parcel R38154 approved 22 years ago. The request would modify four conditions that were identified not to have been met: Condition Nos. 5, 6, 7, and 8. The parcel is zoned "A" (Agricultural). The subject property is located at 24938 Farmway Road in Caldwell.

Background:

Parcel R38154, approximately 3.38 acres, is zoned "A" (Agricultural) and appears original (created on or before September 6, 1979).

- A manufactured home was established on the parcel in 2001
- On May 24, 2002, a conditional use permit (CU2002-42) to allow a planned unit development (PUD) for a mobile home park (seven units) was approved by the Board on appeal subject to eight conditions of approval.
- On February 21, 2003, a code violation was issued on the parcel due to noncompliance with CU2002-42.
- On March 24, 2003, a manufactured home was placed in Space #2 for storage only and a new manufactured home was approved in Space #7.
- On March 31, 2003, a manufactured home was approved in Space #3.
- On November 13, 2003, a manufactured home was approved in Space #5.
- On February 9, 2004, the code violation issue regarding CU2002-42 was found to be in compliance.
- On February 27, 2004, a permit to convert the manufactured home used for storage into a livable unit on Space #2 was issued.
- The permit included condition compliance requirements and timeframes to complete the playground, irrigation for landscaping, and ditch tiling. The permit was approved with CU2002-42 concerns. The Board of County Commissioners deferred condition compliance until the last space was filled.
- On December 21, 2004, a manufactured home was issued on Space #6. On November 13, 2003, a manufactured home was approved in Space #5.
- The permit included condition compliance requirements and timeframes to complete the playground, irrigation for landscaping, and ditch tiling. The permit was approved with CU2002-42 concerns. The Board of County Commissioners deferred condition compliance until the last space was filled.

- Space #4 was never completed and between 2018 & 2019, the manufactured home in Space #5 was removed.

- On April 18, 2022, a code violation was opened for establishing an RV park without approval. The applicant applied for a conditional use permit for an RV Park on July 12, 2022 (CU2022-0035). Upon review, DSD staff found that conditions 5-8 of CU2002-42 were not in compliance.

Requested Modification:

5. Developer shall construct a 40' X 40' foot playground in the southwest portion of the development which, at minimum, shall include two swings and a sand box and said playground shall be fenced with a 4' foot chain link fence which shall have a minimum of two gates for access.

- Request: The applicant states a playground was constructed per the conditions. Due to safety issues and little use, the playground was removed. The applicant requests the condition be modified to require a common area with a walking path, picnic tables, and BBQ grates which is currently in place and beneficial to all occupants.

- BOCC Approval: The playground was proposed by the owner. The applicant agreed to the condition of installing a playground within a fenced common area.

- Site Visit: The location of the playground contains RVs. Staff did not see a common area with picnic tables, BBQ grates, or a walking path during the visit.

5. Condition Options

- Require condition compliance as approved;

- Amendment to Condition 4: Within 90 days of approval, a common area plan shall be submitted to DSD for review. The plan shall show amenities such as a walking path, BBQ Pit, picnic tables, etc. with a long-term maintenance plan to ensure the common area is maintained and does not become a public nuisance. Within a reasonable timeframe determined by the Director of DSD, the common area shall be installed per plan and evidence provided demonstrating compliance; or

- Remove the condition. The code in 1997 did not require a playground. The playground requirement was imposed by the owner to keep up appearances to protect his investment. The two mobile home parks adjacent to the subject parcel do not have playgrounds. No comments were received from property owners within 600 feet.

6. Developer shall tile and maintain the drainage ditch that is on the east and south edge of the property. The north and south running drainage ditch in the middle of property shall remain open but developer shall maintain this ditch and shall provide grating to ensure that water from this ditch runs to the tiled ditch.

- Request: The applicant requests the condition be removed. The applicant finds it unnecessary and is concerned about the potential lawsuit for trespassing due to the drainage ditch to be tiled being located on the adjacent property.

- BOCC Approval: The tiling of the drainage ditch was proposed by the applicant for septic system and safety reasons. The drain is not in the jurisdiction of Black Canyon Irrigation District.

- Site Visit: The drainage ditch is open/untiled.

6. Condition Options

- Require condition compliance as approved; or

- Remove the condition. The code in 1997 did not require drainage ditch tiling. The tiling requirement was imposed by the owner for safety purposes. Black Canyon Irrigation District has no irrigation facility on the property; and therefore, does not require any action.

7. Developer shall fence the entire perimeter of the property with a 4'-6' foot chain link fence as soon as financially feasible.

- Request: The applicant states fencing was being installed, but during a code compliance review by DSD, line of sight issues required fencing to be removed. The applicant is requesting the requirement be removed. If the condition is not completely removed, fencing along the Farmway and Purple Sage roads should not be included because the topography provides a natural barrier.

- BOCC Approval: Fencing was proposed by the applicant around the playground/common area, and to address the neighbor's concerns. The applicant agreed to the condition of a 4'-6' tall chain link fencing along the perimeter.

- Site Visit: Approximately 100 feet of chain-linked fencing was found along Purple Sage Road. Approximately 100 feet of fencing (wood) along Farmway Road. Other than that, no fencing has been installed.

7. Condition Options:

- Require condition compliance as approved; or

- Developer shall fence the entire perimeter of the property with a 4'-6' foot chain link fence. Within 180 days from approval of CU2022-0035, fencing shall be installed and evidence provided to DSD demonstrating compliance.

- Remove the condition. The code in 1997 did not require fencing. No comments were received from property owners within 600 feet. 4'-6'-foot tall fencing exists along the south boundary installed by the owners within Sunlight Terrace Subdivision.

8. Developer shall install sprinklers throughout the property and shall maintain all landscaping, trees, and lawns in the development a living condition.

- Request: The applicant states irrigation lines were installed to maintain grass yards for each home. Due to the poor soils, the grass was hard to maintain. The applicant requests the conditions be amended to allow for xeriscape.

- BOCC Approval: Landscaping along the southern boundary nearing the Sunlight Subdivision property was proposed due to neighbor concerns. Landscaping throughout the property, such as irrigation, grass, and two trees per lot, was proposed by the applicant to create a desired appearance.

- Site Visit: Trees are located along the drainage (east and south boundary), small pines near space #3, and two trees near space #1. Four large bushes were installed near the south boundary near the Combs property (Parcel R26996). Some grass was identified near spaces #1, #6, and #7, but mostly consisted of mowed-down weeds.

8. Condition Options:

- Require condition compliance as approved;

- Amendment: Within 90 days of approval, a landscaping plan shall be submitted to DSD for review. The subject plan shall show xeriscape areas, landscaping areas with irrigation, types of landscaping and xeriscape, irrigation location/removal, and a long-term maintenance plan to ensure landscaping is maintained and does not become a public nuisance. Within a reasonable timeframe determined by the Director of DSD, landscaping shall be installed per the plan and evidence provided demonstrating compliance; or

- Remove the condition. The County Code in 1997 did not require landscaping. No comments were received from property owners within 600 feet.

Staff recommends approval of the request subject to the following condition modifications:

Amend Condition No. 5: Within 90 days of approval, a common area plan shall be submitted to DSD for review. The plan shall show amenities such as a walking path, BBQ Pit, picnic tables, etc. with a long-term maintenance plan to ensure the common area is maintained and does not become a public nuisance. Within a reasonable timeframe determined by the Director of DSD, the common area shall be installed per plan and evidence provided demonstrating compliance.

- Remove Condition No. 6 regarding the ditch tiling.

- Uphold and amend Condition No. 7: Developer shall fence the entire perimeter of the property with a 4'-6' foot chain link fence. Within 180 days from approval of CU2022-0035, fencing shall be installed and evidence provided to DSD demonstrating compliance.

- Amend Condition No. 8: Within 90 days of approval, a landscaping plan shall be submitted to DSD for review. The subject plan shall show xeriscape areas, landscaping areas with irrigation, types of landscaping and xeriscape, irrigation location/removal, and a long-term maintenance plan to ensure landscaping is maintained and does not become a public nuisance. Within a reasonable timeframe determined by the Director of DSD, landscaping shall be installed per the plan and evidence provided demonstrating compliance.

Planner Lister said the RV park that's on the property is in violation. If the park amends this application and removes 4 & 5 that may require modification to remove those and make this a 5-unit project instead of a 7-unit project. If the matter is tabled and the applicant applied for the RV park, the P&Z Commission might have a difficult time approving it while there is still violation. Following his report, Planner Lister responded to questions from the Board. Commissioner Van Beek said she has a difficult time supporting the analysis that a rectification over a 22-year period is justifiable. Violation of conditions would trigger a revocation of the CUP and given that this is in agricultural area and that it has code enforcement issues she would have preferred the analysis to look at the revocation process rather than trying to bring something into compliance that the owner had no desire to do.

David Olsen testified he started the process 22 years ago for affordable housing, and he believes he has complied with the conditions. He said there has been misinformation regarding the ditch that runs through his property and the adjoining property and he doesn't know how he can be held accountable for tiling a ditch that is not on his property. He spoke about the difficulties of maintaining the property due to its sandy soils. There was a playground on the property but he moved it due to the neighbors' overhanging tree branches. There is a common area with standup BBQ pits, picnic tables and a walking path. Sprinkler systems are installed but it's been difficult keeping the grass green and after several attempts he let the yards go to dirt. He wants to go to dry scape because it's less maintenance and looks better. He installed a fence and when he received a code violation due to a line of sight issue he removed it, but he was not told what to do to fix the problem. He assumed he didn't have to do the fence after that. If the fence is required he would like it modified so that any portion the ground that is 3-4 feet below the road would not have to be fenced. Mr. Olsen referred to a large poster board depicting a schematic, however, staff has not seen the diagram and it would be considered a late exhibit; however, the Board does not accept late exhibits. There was discussion regarding utilizing the pictures the applicant had previously submitted and were already contained in the case file. Following his testimony, both Mr. Olsen and Planner Lister responded to questions from the Board.

Commissioner Van Beek said there is conflicting evidence. Staff did a site visit and was looking for the things that were promised in 2002: a playground, landscaping, and irrigation, that was supposed to be conditioned initially. 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 not sufficient evidence from the applicant that would sway her original position that this needs to be remanded back to P&Z Commission to look at revocation of the CUP. If there was not a correct understanding there could have been clarification from DSD

staff. The onus is on the developer to understand what it is you're doing, buying, and installing. It is a disservice to remove conditions, particularly when they were proposed by the applicant. It appears there was minimal effort to comply; there was intent to develop which was sold to a Board of Commissioners and to come back with conditions that do not meet the intended expectation, whether it's aesthetics or irrigation, is problematic. Commissioner Brooks is in favor of staff's recommendations. He wants the perimeter of the property to be fenced unless they are incorporating a fully functioning fence. He's in favor of all four conditions with the inclusion of his comments regarding fencing included on Condition No. 7. Commissioner Van Beek said this is a 7-unit proposal that's had 20 years to meet the conditions. Commissioner Holton said we have the opportunity to fix some shortcoming in 2002 and to have the applicant perform what a prior Board wanted with the exception of the playground.

Commissioner Holton made a motion to approve the modifications to CU2002-42 as delineated under the recommendations on Page 8 of 9 of the staff report and the additional condition that if the above conditions are not completed in 270 days to the discretion of the DSD Director the revocation process for CU2002-42 will commence. Commissioner Van Beek said a xeriscape plan has to be submitted and have specificity and be approved by DSD. Commissioner Holton said his motion goes beyond the 90-day plan, and on xeriscape it can be done anytime and is not contingent upon foliage. Planner Lister said it's 90 days to get the plan to DSD once determined by the Director that it's a complete plan then they would have a reasonable timeframe to get that done. In this case, if the Board is saying they have 270 days altogether that gives them 180 days to install after the Director's review and approval. He suggested amending language in Condition Nos. 5 & 8 to state Reasonable timeframe determined to 180 days so it fits the 270-day timeframe? 90 days to complete the plan and provide evidence. Planning Supervisor Anderson said it's crafted the way it is because it doesn't assume the approval. The landscaping plan would be inclusive of the xeriscape. Commissioner Holton amended his motion to include the verbiage as recommended by staff. Change the day limit of to 180 days on Condition Nos. 5 and 8, and include the reference of 270 days on Condition No. 7. The amended motion was seconded by Commissioner Brooks. Commissioner Van Beek was opposed to the motion to approve. The motion carried by a two-to-one split vote. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn the hearing. The hearing concluded at 3:03 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2024 TERM
CALDWELL, IDAHO JULY 18, 2024

There were no meetings scheduled this day.

JULY 2024 TERM
CALDWELL, IDAHO JULY 19, 2024

APPROVED CLAIMS

- The Board has approved claims 607990 ADV in the amount of \$75.00
- The Board has approved claims 607817 to 607856 in the amount of \$28,739.84
- The Board has approved claims 607910 to 607960 in the amount of \$35,204.44

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$8,728.32 for the Information Technology Department (PO #6053)
- Dell in the amount of \$8,728.32 for the Information Technology Department (PO #6054)
- Dell in the amount of \$8,728.32 for the Information Technology Department (PO# 6055)
- SHI in the amount of \$61,400.24 for the Information Technology Department (PO #6056)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Wendy Flechsing, Emergency Communications Officer 1
- Elizabeth Blattner, Temporary hire for the 2024 County Fair

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 9:34 a.m. for a legal staff update. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Oscar Klaas, Deputy PA Laura Keys, COO Greg Rast, and Deputy Clerk Monica Reeves. Today's legal staff update was continued from July 17, 2024. Deputy PA Keys said there will be an update on the purchase of Pod 6 and the potentially legal ramifications of that. Executive Session was held as follows:

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

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), (f) and (i) discuss records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation, and to communicate with the risk manager regarding pending/imminently likely claims. 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, Deputy PA Oscar Klaas, Deputy PA Laura Keys, and COO Greg Rast. The Executive Session concluded at 10:00 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.

FY2025 BUDGET WORKSHOP NO. 2 FOR THE INFORMATION TECHNOLOGY DEPARTMENT

The Board met today at 10:04 a.m. for the FY2025 Budget Workshop for the IT Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Clerk Rick Hogaboam, Senior Systems Analyst Steve Onofrei, Auditing Supervisor Sarah Winslow, COO Greg Rast, IT Director Steve Higgins, IT Business Manager Caiti Pendell, Director of Court Operations Jess Urresti, IT employees, JoDee Arnold, and Deputy Clerk Monica Reeves. The review was as follows:

"A" Budget Adjustments

Director Higgins originally asked for five new/reclassification requests, but has adjusted the request to two:

- Grade/Salary adjustment for the Information Security Officer position
- Equity adjustment for the Operations Manager position

"B" Budget Adjustments

Computer equipment: \$140,000 for the VMH host replacement which is necessary due to the antiquated nature of the chassis that's included, but they will forgo all things associated with the wireless upgrade until next year. The department will eliminate the request for the expansion switches, wireless access point replacement, the survey for the wi-fi, and the cable management update so they can allocate the funding for the chassis replacement. They will forgo the \$65,000 request in line item no. 577138, as well as the \$37,000 for the upgrade in switches, and the \$10,000 in line item no. 521120 for the wireless survey, and the \$8,000 for cable in line item no. 521122.

There was discussion regarding the Elections GIS position. Director Higgins said the position will be dedicated as a premium service to the Elections Office and when they are not serving the Elections Office they will provide service to the Sheriff's Office which will that office to free up a PCN. The Board supports the plan. The meeting concluded at 10:23 a.m. An audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP NO. 2 FOR THE TRIAL COURT ADMINISTRATOR

The Board met today at 10:03 a.m. for the FY2025 Budget Workshop for the IT Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Clerk Rick Hogaboam, Senior Systems Analyst Steve Onofrei, Auditing Supervisor Sarah Winslow, Director of Court Operations Jess Urresti, COO Greg Rast, TCA Benita Miller, Family Court Services

Manager/Deputy TCA Chris Paulsen, JoDee Arnold, and Deputy Clerk Monica Reeves. The review was as follows:

"A" Budget Adjustments

Last year the Board approved a staff attorney position for the TCA office but that person took another position outside of Canyon County and they do not plan to fill the position, but they do plan to use salary savings to do equity adjustments for staff attorneys.

They had asked for two part-time judicial marshals and to move two temporary judicial marshals to fulltime, but TCA Miller feels that's a big ask so she is adjusting that request down to moving one of the temporary marshal positions to fulltime and she will withdraw their request to move a temporary position to fulltime and withdraw the two part-time judicial marshal requests.

The TCA is still asking for a jury clerk position, grade 11; and the new court assistance officer position.

COO Rast asked about the Eviction Court Mediation Coordinator position which has been funded but been vacant for over a year. The position was to be funded with ARPA money, but it was never filled and TCA Miller said the position can be unfunded.

Clerk Hogaboam said there will be a net downward effect with the proposed adjustments. There was discussion regarding the equity adjustments for the staff attorneys, and TCA Miller indicated she will meet with HR and provide additional information to the Clerk on the amounts.

The meeting concluded at 10:51 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION APPROVING A NEW ALCOHOLIC BEVERAGE LICENSE FOR AADL SALES, LLC DBA LATIN MARKET

The Board met today at 10:55 a.m. to consider a resolution approving a new alcoholic beverage license for ADDL Sales, LLC dba Latin Market. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the new alcoholic beverage license for ADDL Sales, LLC dba Latin Market. (Resolution No. 24-144.) The meeting concluded at 10:56 a.m. An audio recording is on file in the Commissioners' Office.

JULY 2024 TERM
CALDWELL, IDAHO JULY 22, 2024

APPROVED CLAIMS

- The Board has approved claims 607880 to 607905 in the amount of \$157,272.81
- The Board has approved claim 607995 ADV in the amount of \$2,691.10
- The Board has approved claims 607792 to 607816 in the amount of \$23,145.06
- The Board has approved claims 607961 to 607989 in the amount of \$33,009.50

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Raleigh M. Steinwender, Plat Technician, new hire
- Brandi Beard, promotion from Public Defender Investigator I to II
- Amaia Vicandi-Bow, PCN change only from 860 to 861
- Jess Urresti, specialty pay for assigned Chief Deputy Clerk responsibilities

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Dell in the amount of \$16,708.80 for the Information Technology department (PO #6057)

APPROVED CATERING PERMITS

The Board approved the following Idaho Liquor Catering Permits:

- Tower Grill to be used on August 9, 2024 for the Rattan wedding
- Tower Grill to be used on August 17, 2024 for the Hirsch wedding
- Tower Grill to be used on August 24, 2024 for the Juarez wedding
- Tower Grill to be used on August 31, 2024 for the Marez wedding

CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 9:18 a.m. to consider matters related to indigent services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George and Deputy Clerk Jenen Ross.

Ms. George said case nos. 2024-28 and 2024-29 both meet the eligibility criteria for county assistance for cremation. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve case nos. 2024-28 and 2024-29 as presented.

The meeting concluded at 9:19 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION APPOINTING LANCE HEBDON TO THE CANYON COUNTY MOSQUITO ABATEMENT DISTRICT BOARD

The Board met today at 9:20 a.m. to consider a resolution appointing Lance Hebdon to the Canyon County Mosquito Abatement District Board. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider resolution appointing Lance Hebdon to the Canyon County Mosquito Abatement District Board: Commissioner Van Beek said that Based on the recommendation by CCMAD Director, Jim Lunders, she is in favor and made a motion to appoint Lance Hebdon to fill the vacancy left by Norm Brown's resignation. The motion was seconded by Commissioner Brooks and carried unanimously (resolution no. 24-145).

The meeting concluded at 9:21 a.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP NO. 2

The Board met today at 9:31 a.m. for FY2025 budget workshop no. 2. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Coroner Jennifer Crawford (left at 9:54 a.m.), Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Sr. Systems Analyst Steve Onofrei, Facilities Director Rick Britton (arrived at 9:52 a.m.), Director of Misdemeanor Probation Jeff Breach (arrived at 9:52 a.m.), Assistant Facilities Director Carl Dille and Facilities Office Manager Becky Kearsley (arrived at 9:53 a.m.), Chief Deputy Assessor Joe Cox (arrived at 9:54 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

Coroner:

The Coroner's budget has remained the same from the first workshop, however, the Board had some questions related to the 'A' budget and new positions. Coroner Crawford said that overtime (comp. time) will be essentially eliminated with two additional positions. Additionally, there would no longer be a need for a fleet vehicle to be taken home by deputies which would reduce fuel and maintenance costs. Other benefits would be immediate access for the public. The part-time position would still be needed for the Autopsy Technician. Ms. Crawford spoke to the increased calls to her office and how morale and burnout will be the biggest impact if the 2 new positions are not granted. Discussion ensued regarding costs and associated fees; at the request of the Board, Coroner Crawford will do an analysis of the fees.

A brief break was taken from 9:54 a.m. to 10:00 a.m.

Facilities:

- One change on the 'B' budget: would like to add \$10,000 for janitorial for supplies during the fair - line item 554410 will be increased to \$87,000, Commissioner Holton said it will be added in.

- 'C' budget reviewed as indicated below

BUDGET COST	CODE	COST	PRIORITY	DEPARTMENT	Priority Cost	TALK ABOUT 50K FOR DMV REMODEL - ASSESSOR DESCRIPTION
\$5,500.00	680220	\$5,500.00	2	JUVENILE PROBATION	6,500.00	Remodel counter area to a single office, replace ceiling in hallway and new office area
\$26,000.00	680270	\$26,000.00	1	JDC	26,000.00	Finish out locks thru the facility. Add another no contact room, shade for outdoor rec, replace flooring in admissions area and replace ceiling speakers in the facility
\$40,680.00	680340	\$5,750.00	1	FLEET	5,750.00	Lighting Rebate - Convert old TS fixtures to led in shop area (Idaho power Rebate)
	680340	\$7,500.00	3	ASSESSORS	7,500.00	Assessors finish cabinets from FY24
	680340	\$12,430.00	3	BLDG MAINT	12,430.00	Auto Openers for front doors at the Assessors office and Treasures office
	680340	\$15,000.00	1	PARKS	15,000.00	Parking Lot Light for Upper Dam
	680410	\$5,400.00	1	BLDG MAINT	5,400.00	MF2028-100 engraver cutter 28"
	680410	\$6,000.00	3	BLDG MAINT	6,000.00	CNC press Brake
\$34,425.00	680410	\$6,000.00	2	PARKS	6,000.00	Drinking Fountain Upper Dam outdoor
	680410	\$5,525.00	2	GROUND	5,525.00	Broom for mower to brush off sidewalks (snow removal) paramedics warehouse and New Elections - CCAD Revenue
	680410	\$5,000.00	2	GROUND	5,000.00	Scoop Dogg 8'wide bucket for snow removal for skid steer - CCAD Revenue
	680410	\$6,500.00	2	GROUND	6,500.00	Scoop Dogg Snow Plow for truck need one more for paramedics sites - CCAD Revenue
	682270	\$30,000.00	1	MISD. PROBATION	30,000.00	FY24/FY25 Split - Savings from fiber and awning if Poly Farm is purchased. Remodel the old election building with 13 new office, front reception area, conference room, windows and new lobby area
\$40,200.00	682270	\$10,200.00	2	DMV	10,200.00	DMV Remodel Project - flooring in breakroom and bathrooms old VCT
	683270	\$23,900.00	1	DMV	23,900.00	2 new HVAC Units for DMV
	683270	\$26,400.00	1	DHDC	26,400.00	2 new HVAC Units on Jail Roof
\$925,300.00	683270	\$125,000.00	1	DHDC	125,000.00	Dale Haile Kitchen floor replacement old tile floor chipping and breaking. ECO grip rubber flooring
	683270	\$250,000.00	1	BLDG MAINT	250,000.00	Fire Sprinklers 2nd floor this is the 1st year on a 3 year rotation
	683270	\$500,000.00	1	POD 6	500,000.00	Pod 6 Upgrades
\$28,648.00	683340	\$28,648.00	1	BLDG MAINT	28,648.00	Seal Coating and Restriping Parking Lots (Ext. Office \$1,900 Fleet Shop \$9,569.28 Parks \$8,767.80 Boat Ramp \$8,410.50)
		\$45,000.00	1	BLDG MAINT	45,000.00	Cost for New Parking Lot - Road Base (temporary for the winter)
\$34,150.00	684110	\$34,150.00	2	GROUND	34,150.00	EXMAR 96" mower for parks , gabby field maintained by City, Supplement old mowers (12-Years Old)
\$42,340.00	684230	\$12,000.00	1	MEETING ROOMS	12,000.00	New training tables for Admin building meeting room
	684230	\$8,340.00	1	MEETING ROOMS	8,340.00	New chairs for Meeting room 120 chairs - 50% this year
	684230	\$22,000.00	1	NEW ELECTION BLDG	22,000.00	New Elections Bldg. Furniture (2) stand up desk 8'with 4'returns, (4) cubicle systems with 8' stand up desk with 4' returns, (4) cubicle systems with 6' stand up desk and 4' returns, wall with windows to watch counting
\$1,178,243.00		\$1,223,243.00	1		\$1,123,438.00	Other Items
			2		\$73,875.00	
			3		\$25,930.00	
					\$1,223,243.00	\$1,223,243.00

- An additional project to be added is a parking lot base material
- Overall the 'C' budget was reduced by almost \$1M
- Director Britton has indicated there are several capital projects he is still working to complete in FY2024

The Board has given support for accepting this budget as presented. Discussion ensued regarding future capital projects and long-term planning to budget for those needs.

COO Rast indicated that he's received the appraisal for property purchase which has come in at \$1.7M; \$2M was originally budgeted so with Board support that number will be revised to accurately reflect in the budget.

Weed and Pest:

Director Britton has worked with the Clerk's Office in discussing revenues associated with weed and pest and the possible addition of a new position. He would like to increase revenues from \$132,000 to \$180,000 which will cover the new position.

There will be an increase to service contracts to account for weed and pest's portion of the GIS mapping flight.

Commissioner Holton confirmed that the Board is comfortable in moving forward with the budget as presented.

The meeting concluded at 11:09 a.m. and an audio recording is on file in the Commissioners' Office.

FOLLOW-UP WORKSHOP TO DISCUSS OUTSIDE AGENCY FUNDING REQUESTS

The Board met today at 11:25 a.m. for a follow-up workshop to discuss outside agency funding requests. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, COO Greg Rast and Deputy Clerk Jenen Ross.

The following agency requests were reviewed:

Advocates Against Family Violence (AAFV): FY25 funding request is \$75,000. Commissioner Van Beek said she has had a request from the director to discuss their potential shortfalls and funding needs. Commissioner Brooks is in favor of funding but not sure to what level. Commissioner Holton is not in favor of the \$75,000, but leaning more towards \$50,000. Commissioner Brooks would support \$50,000. This will be left in there for the time-being.

Caldwell Veterans Council: In FY24 they were awarded \$36,500, FY25 requested amount is \$36,500. Commissioner Brooks is supportive of going back to \$32,000 as previous years, the Board is supportive of \$32,000.

Canyon Soil Conservation District: The Board is supportive of funding at \$20,000.

Valley Regional Transit (VRT): Commissioner Brooks is not in favor of any funding. Clerk Hogaboam asked if there is an obligation to get indigent citizens to the courthouse. At the suggestion of Commissioner Holton, \$36,000 will be added to the budget.

West Valley Humane Society (WVHS): Commissioner Brooks stated that as long as they continue with the same executive director he is not in favor of sending another dollar nor renewing their lease. As there seems to be a lot of contingencies surrounding this organization and the funding of it, Mr. Rast suggested discussion regarding this can be had after the workshop meeting on July 26th.

Southwest District Health (SWDH): Commissioner Brooks spoke about the budget suggestion he made as part of the SWDH Board and how it was voted against. The obligated amount for Canyon County is \$2,416,404.

COMPASS: Canyon County's obligated amount is \$128,633.

Treasure Valley Partnership (TVP): FY25 request is \$5580 and the Board is supportive of this amount.

Western Alliance for Economic Development (WAED): Board is supportive of leaving \$20,000 in the budget as a placeholder to be discussed at a later time, possibly even the final budget hearing.

The meeting concluded at 12:09 p.m. and an audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP NO. 2 FOR THE FLEET DEPARTMENT

The Board met today at 1:32 p.m. to conduct a second workshop for the Fleet Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Fleet Director Mark Tolman, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Controller Kyle Wilmot, Senior Systems Analyst Steve Onofrei, Facilities Director Rick Britton, COO Greg Rast, and Deputy Clerk Monica Reeves. The Board had specific personnel questions and details to review and so an Executive Session was held as follows:

EXECUTIVE SESSION – PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND COMMUNICATE WITH RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 1:33 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (i) to discuss personnel matters, 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, Fleet Director Mark Tolman, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Controller Kyle Wilmot, Senior Systems Analyst Steve Onofrei, Facilities Director Rick Britton, and COO Greg Rast. The Executive Session concluded at 2:08 p.m. with no decision being called for in open session.

When the open session resumed, COO Rast said the only topic for this second workshop deals with on-call pay which he is working through with Director Tolman and it will be brought up as part of the compensation workshop on July 26. The changes from the first workshop were the shop fees, the revenue increased from \$75,000 to \$150,000; insurance reimbursement repairs increased from \$25,000 to \$35,000; outside parts went from \$20,000 to \$100,000; and there will be consideration of on-call discussed Friday. Director Tolman verified the two vehicles in the Coroner's Office that aren't needed. The meeting concluded at 2:12 p.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER SIGNING THE REVISED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR CASE NO. CU2022-0035 REGARDING DAVID OLSEN'S REQUEST TO MODIFY A C.U.P.

The Board met today at 2:34 p.m. to consider signing the revised Findings of Fact, Conclusions of Law, and Order (FCO's) for Case No. CU2022-00035 regarding David Olsen's request to modify a conditional use permit. Present were: Commissioners Brad Holton and Zach Brooks, DSD Planning Supervisor Carl Anderson, COO Greg Rast, and Deputy Clerk Monica Reeves. This case was approved by a Board majority on July 17, 2024 with amended conditions. Planning Supervisor Anderson presented the FCO's noting that the request is for a seven-unit mobile home park and would modify/remove conditions #5, #6, #7, and #8 as discussed at the July 17, 2024 hearing. Commissioner Brooks said the Board made it clear to the applicant that even though his amendment application was approved, if he does not comply the Board will look at revoking the permit in its entirety. Commissioner Holton concurred and said he is amenable to try to make a solution out of an ongoing concern for the applicant and his neighbors. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to sign the revised the FCO's regarding Case No. CU2022-0035 as presented. The meeting concluded at 2:38 p.m. An audio recording is on file in the Commissioners' Office.

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

Note for the record: As properly noticed the Board met today at 3:34 p.m. for a legal staff update. A request was made to go into Executive Session to discuss records exempt from public disclosure, and to communicate with the County's Legal counsel regarding pending/imminently likely litigation. The Executive Session was held as follows:

Commissioner Van Beek made a motion to go into Executive Session at 3:34 p.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f). 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, Deputy PA Laura Keys, Clerk Rick Hogaboam, and Facilities Director Rick Britton. The Executive Session concluded at 4:09 p.m. Commissioner Van Beek made a motion to adjourn. No decision was called for in open session.

JULY 2024 TERM
CALDWELL, IDAHO JULY 23, 2024

No meetings were held this day.

APPROVED CLAIMS

- The Board has approved claim 607766 to 607791 in the amount of \$15,979.41

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- John Madison, Deputy Sheriff received intermediate POST certification

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Corwin in the amount of \$55,950.00 for the Fleet department (PO #5956)
- Dell in the amount of \$23,117.36 for the Information Technology department (PO #6058)
- Dell in the amount of \$14,327.36 for the Information Technology department (PO #6059)

APPROVED CATERING PERMITS

The Board approved the following Idaho Liquor Catering Permits:

- Capital Bar to be used on 7/28/24 for the Multop wedding
- Capital Bar to be used on 9/1/24 for the White wedding
- Legends Sports Pub & Grill to be used on 8/3/24 for the Keller wedding
- Legends Sports Pub & Grill to be used on 8/10/24 for the Rhoades wedding
- Legends Sports Pub & Grill to be used on 8/15/24 for the Trulson wedding
- Legends Sports Pub & Grill to be used on 8/23/24 for the Elquist wedding
- Legends Sports Pub & Grill to be used on 8/30/24 for the Arnold wedding
- Legends Sports Pub & Grill to be used on 9/6/24 for the Oakes wedding
- Legends Sports Pub & Grill to be used on 9/7/24 for the Harmon wedding
- Legends Sports Pub & Grill to be used on 9/13/24 for the Anderson wedding
- Legends Sports Pub & Grill to be used on 9/14/24 for the Allen wedding
- Legends Sports Pub & Grill to be used on 9/20/24 for the Patterson wedding
- Legends Sports Pub & Grill to be used on 9/21/24 for the Hall wedding
- Legends Sports Pub & Grill to be used on 9/28/24 for the Martinez wedding
- Raising Our Bar to be used on 8/2/24 for the Rodin wedding
- Raising Our Bar to be used on 8/10/24 for the Raymond wedding
- Raising Our Bar to be used on 8/13/24 for the CWI Board meeting
- Raising Our Bar to be used on 8/16/24 for the Guerrero wedding
- Raising Our Bar to be used on 8/17/24 for the Bishop wedding
- Raising Our Bar to be used on 8/31/24 for the Dally wedding

COMMUTER VEHICLE AUTHORIZATION FORM

The Board approved a commuter vehicle authorization form for Kim Dickson.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- AVI in the amount of \$13,098.24 for the Facilities department (PO #6030)

APPROVED CLAIMS

- The Board has approved claim 607993 to 607994 in the amount of \$493.00

CONSIDER NOTICE OF SURPLUS PROPERTY AUCTION OF PIN 34980000 0, 0 POND LANE, CALDWELL, IDAHO

The Board met today at 9:36 a.m. to consider notice of surplus property auction of PIN 34980000 0, 0 Pond Lane, Caldwell, Idaho. Present were: Commissioner Leslie Van Beek and Brad Holton, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May and Deputy Clerk Jenen Ross. Treasurer Lloyd explained this property was taken for tax deed in 1930 and has not been on the tax roll since. In 2021 it was put up for auction but the minimum bid set by the county was not met. In an effort to make the bid process as fair as possible sealed bids will be due by 12:00 p.m. on August 8, 2024 and will be opened at 1:30 p.m. on that same day. A 10% deposit is required for all bids; only the check for the winning bid will be deposited, all others will be returned. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the notice of surplus property auction of PIN 24980000 0, 9 Pond Lane, Caldwell, Idaho. The meeting concluded at 9:45 a.m. and an audio recording is on file in the Commissioners' Office.

TAX DEED HEARING

The Board met today at 10:00 a.m. for a tax deed hearing. Present were: Commissioners Leslie Van Beek and Brad Holton, Deputy P.A. Laura Keys, Deputy P.A. Zach Wesley, Treasurer Tracie Lloyd, Deputy Treasurer Tonya May, Chief Deputy Treasurer Jennifer Watters, Banking and Finance Manager Melissa Tucker and Deputy Clerk Jenen Ross. Findings of Fact and conclusions of law along with exhibit A outlining the parcels being taken for tax deed were provided to the Board. It was noted that although the exhibit indicates there are 11 parcels being taken, payment has been made one of the parcels and needs to be removed. Treasurer Lloyd spoke to the process her office follows to notice property owners that their property is in danger of being taken for tax deed. Commissioner Van Beek made a motion to sign the findings of fact and conclusions of law for the properties as presented by the Treasurer. The motion was seconded by Commissioner Holton and carried unanimously. A copy of the recorded document and exhibit are on file with this day's

minutes. The hearing concluded at 10:13 a.m. and an audio recording is on file in the Commissioners' Office.

Note for the record: Following the hearing, it was discovered by the Treasurer's Office that a payment was made on one of the parcels for the 2020 taxes which excludes the parcel from being taken for tax deed. The payment was inadvertently delivered to the incorrect office and the Treasurer's Office was only made aware of it after the hearing had taken place. Based on the date stamp, the payment was received in a timely manner. A revised document has been recorded to accurately reflect the removal of the parcel.

MEETING TO RECEIVE THE CLERK'S QUARTERLY BUDGET REPORT

The Board met today at 11:04 a.m. to receive the Clerk's quarterly budget report. Present were: Commissioners Leslie Van Beek and Brad Holton, Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Director of Court Operations Jess Urresti, Director of Constituent Services Aaron Williams, Sr. Systems Analyst Steve Onofrei, COO Greg Rast, Steve Burton and Deputy Clerk Jenen Ross.

The Clerk presented to the Board a letter which outlines the reports and both a summary and detailed report of revenues, salaries & benefits and expenses. Specific items addressed include the following:

- The way ARPA funds affect the budget
- Realization of property taxes for FY2024 which are received in December and June
- Areas of concern:
 - CCSO Emergency Management – currently overspent on total budget; there is some question about grant funding in order to pay for outside consultant services.
 - CCSO Emergency Communications – budget is at 84% and only about 80% of the way thru the fiscal year
 - CCSO Computer Equipment - budget was \$68,000 and they've incurred a cost of approximately \$178,000. Per COO Rast, this is for the contract with Bryx for monitoring of 6 fire stations which is 100% reimbursed thru 911 funds
 - Tort fund - covers claim payouts as well as insurance premiums
- Transfer and receipting of funds from the Landfill Enterprise fund to the county budget
- Budget adjustments/amendments between the 'A' and 'B' budgets
- Potential "blackout" period for salary adjustments in the months surrounding budget completion and adoption
- Accounting for funds within the budget to cover contingencies throughout the year

Copies of each of the documents presented are on file with this day's minutes.

Commissioner Van Beek moved to adjourn the meeting. The motion was seconded by Commissioner Holton.

The meeting concluded at 11:57 a.m. and an audio recording is on file in the Commissioners' Office.

JULY 2024 TERM
CALDWELL, IDAHO JULY 25, 2024

APPROVED JULY 26, 2024 PAYROLL

- The Board approved the July 26, 2024 payroll in the amount of \$2,507,820.03

APPROVED CLAIMS

- The Board has approved claims 607996-607999 in the amount of \$22,228.00
- The Board has approved claims 607906-607909 in the amount of \$242,430.36
- The Board has approved claims 607873-607879 in the amount of \$3,202.47
- The Board has approved claims 607683-607718 in the amount of \$44,163.56
- The Board has approved claim 606625 in the amount of \$16,667.67
- The Board has approved claims 607857-607872 in the amount of \$68,244.23

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 Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas Deputy P.A. Zach Wesley (arrived at 9:34 a.m.), HR Director Marty Danner (left at 9:39 a.m.), Compensation and Benefits Manager Bosco Baldwin (left at 9:39 a.m.), Lt. Martin Flores (left at 9:39 a.m.), Clerk Rick Hogaboam (left at 9:37 a.m.), Controller Kyle Wilmot (left at 9:37 a.m.), Chief Deputy Sheriff Doug Hart (left at 9:34 a.m.), Cpt. Chuck Gentry (left at 9:34 a.m.), Parks Director Nicki Schwend (left at 9:45 a.m.), Facilities Director Rick Britton (left at 9:45 a.m.), COO Greg Rast Representatives from Knife River and Stroth General, LLC (left at 9:45 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Agreement to Provide School Resource Officer Services to Vallivue School District No. 139; and Consider Agreement to Provide School Resource Officer Services to Notus School District No. 135; and Consider Law Enforcement Services Agreement Melba Joint School District No. 136 and Canyon County: These are all standard annual contracts. There are no substantial changes, just a slight price increase. Cpt. Gentry explained that Melba and Notus share an SRO and Vallivue has a fulltime SRO. Upon the motion of Commissioner Brooks and second by Commissioner Holton the

Board voted unanimously to sign the agreements to provide a school resource officer with Vallivue School District No. 139 (agreement no. 24-067), Notus School District No. 135 (agreement no. 24-068) and Melba Joint School District No. 136 (agreement no. 24-069).

Consider Entertainment Contract with Carol Grabner for the 2024 Canyon County Fair; and Consider Entertainment Contract with Wilma June Madison for the 2024 Canyon County Fair: These are the standard fair entertainment contracts and upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the entertainment contracts with Carol Grabner (agreement no. 24-070) and Wilma June Madison (agreement no. 24-071) for the 2024 Canyon County Fair.

Consider Engagement Letter with Eide Bailly: Mr. Klaas explained this the annual agreement to conduct the audit and is essentially the same as previous years. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the engagement letter with Eide Bailly (agreement no. 24-072).

Consider Addendum No. 1 for Request for Proposals for Employee Benefit Brokerage and Consulting Services: Mr. Wesley said this is the planned addendum for this project which addresses questions received. Proposals for this project are due in early August. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign addendum no. 1 for request for proposals for Employee Benefit Brokerage and Consulting Services.

Opening of bids received for the 2024 Celebration Park Boardwalk and Decking Project: The following bids were received for this project

- Veritas
Received 7/24/24 at 2:34 p.m.
Bid amount \$274,300 (total includes \$55,000 shade canopy allowance)
- Stroth General, LLC
Received 7/25/24 at 8:55 a.m.
Bid amount \$500,000 (add alt for large canopy = \$130,000)

Opening of bids received for the 2024 Celebration Park Boater Improvements Project: The following bids were received for this project

- Knife River
Received 7/25/24 at 8:43 a.m.
Bid amount \$1,103,011.00
- Stroth General, LLC
Received 7/25/24 at 8:55 a.m.
Bid amount \$1,050,000 (add alt for 3rd gangway = \$40,000)

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

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

Commissioner Brooks made a motion to go into Executive Session at 9:45 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d), (f) and (i) regarding personnel matters, records exempt from public disclosure, communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. The motion was seconded by Commissioner Holton. Commissioner Holton took a roll call vote where he along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley and COO Greg Rast. 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.

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 1:31 p.m. pursuant to Idaho Code, Section 74-206(1) (d) regarding records exempt from public disclosure. 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, ADJ Davis VanderVelde, TCA Benita Miller, Family Court Services Manager Chris Paulson, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Cpt. Harold Patchett, Director of Court Operations Jess Urresti, COO Greg Rast. Clerk Rick Hogaboam and Controller Kyle Wilmot joined the meeting at 2:24 p.m. The Executive Session concluded at 2:31 p.m. with no decision being called for in open session.

Note: There were no open discussion topics for the monthly meeting with the ADJ and TCA

FY2025 BUDGET WORKSHOP NO. 2 FOR THE PROSECUTING ATTORNEY'S OFFICE

The Board met today at 2:36 p.m. for FY2025 budget workshop no. 2 for the Prosecuting Attorney's Office. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Sr. Systems Analyst Steve Onofrei, Lead Victim/Witness Services Coordinator Denise Himes, Director of Court Operations Jess Urresti, Prosecuting Attorney Bryan Taylor, Chief Deputy Criminal P.A. Doug Robertson, Office Manager Melinda Longoria, COO Greg Rast, Chris Boyd (joined at 2:40 p.m.) and Deputy Clerk Jenen Ross.

The following topics were reviewed:

- Removed the Dalrymple line as the case has concluded
- Salary and benefit calculation were added for one attorney (this was missed at the original budget workshop)
- Case management software line, still at \$75,000
 - Discussion ensued regarding the case management software as Mr. Taylor would like to leave that decision to presumed incoming prosecutor, Chris Boyd. For the time-being the PA's Office will continue to use JustWare which is holding steady being maintained by IT; there doesn't seem to be an immediate need to purchase a new system. At Board direction, this line will be increased to \$150,000 as a placeholder.
- \$360,000 for new and reclassified positions plus equity adjustments
- There has been an email request from Mr. Boyd for a Sr. Chief Deputy. The Board would like to see this included in the budget so that Mr. Boyd can make that decision once he presumably takes office in January. At this time there is no official job title or salary range so the Clerk would just need to know a dollar amount to be included in the budget. The Board is supportive of COO Rast working with HR to determine the salary grade.

The meeting concluded at 3:07 p.m. and an audio recording is on file in the Commissioners' Office.

JULY 2024 TERM

CALDWELL, IDAHO JULY 26, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$37,594.80 for the Information Technology department (PO #6060)

FY2025 BUDGET WORKSHOP NO. 2 FOR THE PARKS, CULTURAL & NATURAL RESOURCES DEPARTMENT

The Board met today at 9:30 a.m. for FY2025 budget workshop no. 2 for the Parks, Cultural & Natural Resources department. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Sr. Systems Analyst Steve Onofrei, Parks Director Nicki Schwend, Facilities Director Rick Britton, Director of Constituent Services Aaron Williams, COO Greg Rast (arrived at 9:33 a.m.) and Deputy Clerk Jenen Ross.

The following topics were discussed:

- New position was added so that is reflected in the new/reclassified position line

- Based on historical practice there is a potential transfer from the Landfill Enterprise fund to Parks which would show as \$30,000 in revenue.
- The decking project was budgeted at \$227,000 but bids came in at \$270,000, additionally it is unlikely this project would be completed by the end of FY24. Directors Schwend and Britton would like to roll this project to FY25 with a start date in the fall or spring with additional funds added to the budget to cover the difference between the budgeted amount and the bid amount. The Board would like the cost difference added to the Parks budget.
- Parks Supervisor position: This was requested but not granted last fiscal year; it is a position that is still needed. There are an assortment of issues happening at Celebration Park that necessitate a person being on-site fulltime.
- Land acquisition is still in process but in a holding pattern with the BLM.
- Historic Preservation budget: The Board is in favor of following Director Schwend's recommendation of funding the two projects considered urgent.

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

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. Russell Donnelly. 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.

FY2025 BUDGET WORKSHOP NO. 3 FOR THE ASSESSOR'S OFFICE

The Board met today at 11:10 a.m. for the FY2025 budget workshop no. 3 for the Assessor's Office. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam (arrived at 11:21 a.m.), Controller Kyle Wilmot, Sr. Systems Analyst Steve Onofrei, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, COO Greg Rast and Deputy Clerk Jenen Ross.

The following topics were discussed:

- Assessor Stender worked with HR regarding pay bands/grades for both the DMV and reappraisal employees; following his review and evaluation \$142,500 will be necessary to equitize all the positions in the reappraisal division and \$150,000 for the motor vehicle division. Currently there is one vacant commercial appraiser position which he will work to fill once the wage ranges are settled and the office is remodeled.
- There are no changes to the 'B' budget
- At the request of the Board, Assessor Stender addressed the travel, education and professional consultants budget line items

Commissioner Holton noted this will be rolled forward as part of the budget process.

The meeting concluded at 11:34 a.m. and an audio recording is on file in the Commissioner's Office.

FY2025 COMPENSATION PROPOSAL

The Board met today at 1:03 p.m. for a meeting to review and discuss the FY2025 compensation proposal which includes new position requests and equity adjustments. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Clerk Rick Hogaboam, Controller Kyle Wilmot, Senior Systems Analyst Steve Onofrei, COO Greg Rast, HR Director Marty Danner, HR Investigator Rich Soto, Assistant IT Director Eric Jensen, IT Business Manager Caiti Pendell, Misdemeanor Probation Director Jeff Breach, Court Training and Development Manager Raena Bull, Constituent Services Director Aaron Williams, Sheriff's Financial Manager Dave Ivers, Captain Ray Talbot, Captain Chuck Gentry, Emergency Manager Christine Wendelsdorf, Lt. Martin Flores, Captain Harold Patchett, Sheriff's PIO Joe Decker, Prosecutor Bryan Taylor, Chief Criminal Deputy PA Doug Robertson, PA Office Manager Melinda Longoria, Treasurer Tracie Lloyd, Elections Supervisor Haley Hicks, Assessor Brian Stender, Juvenile Probation Director Elda Catalano, DSD Director Sabrina Minshall, Coroner Jennifer Crawford, Public Defender Aaron Bazzoli, Administrative District Judge Vander Velde, TCA Benita Miller, Jury Commissioner Christina Jeffs, County Agent Tasha Howard, Facilities Director Rick Britton, and Deputy Clerk Monica Reeves.

The review of equity adjustment requests will be postponed so that HR Director Danner can vet the requests and then the Board will meet next week to prioritize the requests.

New Position requests are as follows:

- Prosecutor's Office: Chief Deputy
- Landfill: Administrative Specialist, and Deputy Director
- Coroner: Two Deputy Coroner positions
- Facilities: Project Manager (2 other new position requests were removed because the Project Manager is the priority)
- Constituent Services: A Policy Analyst position was requested but COO Rast would like to remove the position based on his conversations with PA staff.
- Weed Control: Weed Technician (The revenues in the weed budget were increased from \$132,000 to \$180,000 to help cover the cost of the position.)
- TCA: The request is for a Jury Clerk (removing the part-time position); a Court Assistance Officer; and moving a part-time marshal to fulltime. The Board is supportive of a full-time Jury Clerk and the full-time Marshal, but not the Court Assistance Officer.

- County Agent: 4-H Program Coordinator. This position is a subsidized position from the University of Idaho and has mostly been funded out of the “B” budget in the County Fair. The U of I has put \$5,915 towards the position. It will be removed from the County Agent line item in the “B” budget where it’s been buried, and it will be moved to the “A” budget as a full-time employee.
- Sheriff: 2 Deputies and 1 Sergeant
- IT: Information Security Officer. A Board majority approves of this position.
- Parks: Parks Supervisor

Prosecutor’s Office: Prosecutor Taylor requested a Deputy PA, criminal, III position, and a Victim Witness Coordinator position. Chris Boyd has requested a Chief Deputy with an annual salary of \$164,000. PA Taylor said the two positions he requested are very much needed and Chris Boyd has expressed he wants both positions. Chief Criminal Deputy Doug Robertson said the Magistrate Supervisor position was requested last year but it was denied. It’s a critical position; it is unheard of to have one supervisor supervising 36 attorneys, which is what Chief Deputy Robertson is currently doing. He spoke with Chris Boyd, and he agrees that the position is needed. Denise Himes spoke about the need for an additional Victim Witness Coordinator position. Commissioner Brooks wants to afford Chris Boyd the opportunity to evaluate the office in January of 2025 when he is sworn in and if he would like those two positions he can request them. The only position he is willing to support today is the Chief Senior Deputy. Commissioner Van Beek agrees. Clerk Hogaboam said the PA budget is under current expense so they could opt to budget a reserve contingency placeholder in current expense for a few hundred thousand dollars. It would be within the budget authority and through a resolution those funds could be appropriated with unanimous consent.

COO Rast said the HR budget will be reduced by \$129,245 due to the Compensation Benefits Manager position being unfunded. HR Director Danner will take over that role. Commissioner Van Beek wants to repurpose the PCN to assist/read policy. COO Rast said given where the budget is, that role needs to start with his position, and he wants to give it a year and see what it looks like. Commissioner Van Beek is hesitant in putting that load on the COO.

There was a review of funded vacancies in the Assessor’s Office, Sheriff’s Office, Juvenile Probation, Court Clerk, Prosecutor’s Office, IT, and Emergency Communications. The following positions were unfunded: Chief Deputy Clerk; Eviction Court Mediation Coordinator; a Staff Attorney in the TCA’s office; and the Compensation Benefits Manager.

Potential COLA scenarios

Clerk Hogaboam said a 1% COLA would cost \$724,000, but that does not apply to new reclassified positions as they have been identified, and there is a specialty pay reduction. He asked the Board not to add to the requested budget that’s in PowerPlan right now out of interest for the County’s financial situation. If they contemplate a COLA they will have to reduce out of what is already built into the requested budget module.

PERSI:

The \$680,000 PERSI expense is not in PowerPlan. Clerk Hogaboam said they will have to adjust some numbers based on the input given today on the new positions and vacancies. The total market adjustments were \$1,481,000, and the total new position requests total \$1,548,709. Commissioner Holton wants to see it separated so he can see the difference between commissioned and noncommissioned and the number between Rule of 80 vs 90 on PERSI. It's possible the Board would look at a COLA separated between commission and noncommission. The Clerk said some of the new positions may go into a contingency. We have come close to paying for the PERSI increase with the adjustments. 1% of forgone is \$591k so if you use new construction and the 3%, it's roughly about \$3.85M which is added tax revenue to be distributed among the levied funds. That's not a total net increase of what we levied this year because part of what we levied this year was onetime capital forgone that does not roll over so the actual increase from this year to next year is \$2+M. Commissioner Van Beek is in favor of a blackout period. Clerk Hogaboam said a blackout period would not keep people from realizing their deserved promotions, it would be when there is restructuring, reorganization, or a retitle and it would be helpful if those requests came in a six-month period rather than in the last 2-3 months leading up to the budget planning cycle because it resets the baseline and complicates what the PCN's are and we are trying to play catchup.

Follow-up budget workshops will be held next week. The meeting concluded at 2:44 p.m. An audio recording is on file in the Commissioners' Office.

FY2025 BUDGET WORKSHOP NO. 2 FOR THE WEST VALLEY HUMANE SOCIETY

The Board met today at 3:04 p.m. for the FY2025 Budget Workshop No. 2 for the West Valley Humane Society. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Clerk Rick Hogaboam, Controller Kyle Wilmot, Senior Systems Analyst Steve Onofrei, Nick Lippincott from the Best Friends Animal Society (via teleconference), Caleb Smith, WVHS Board President, Tyler Byers, WVHS Secretary, Dr. Rosenthal, DVM, Facilities Director Rick Britton, Constituent Services Director Aaron Williams, Deputy PA Zach Wesley, Deputy PA Laura Keys, other interested persons, and Deputy Clerk Monica Reeves. At the beginning of the meeting there was a brief discussion about the financial information that was required but has not yet been received so the Board took a break at 3:04 p.m. to wait for WVHS to re-send the information via email. The meeting resumed at 3:17 p.m. Caleb Smith, Tyler Byers, and Nick Lippincott responded to questions from the Board with regard to the financial records and operation of the shelter which is summarized as follows: The WVHS Treasurer has resigned and the WVHS Board voted to engage with an outsourced accounting firm rather than having it run through a volunteer board member. The board has voted to part ways with the Executive Director effective August 2, 2024. There are some discrepancies in their QuickBooks records that they want to fix, and they are also going over staffing issues with their HR director who has been acting as the executive director since she went on maternity leave. They have been working with Best Friends Animal Society who will provide an executive consultant who will assist in making sure there isn't a decrease in the coverage or care

for the animals and they will also look at the policies and bookkeeping and provide guidance to the WVHS board. The person who will fill that role will have the ability and capacity to work as the executive director who will assist in recruiting a long-term executive director. Board members are new to their roles and their focus is making sure they have the right leadership in place and making sure they understand what's been happening with the finances up to this point. Their focus for the last couple weeks has been to make sure the doors stay open, focus on the lease and figure out what it looks like to have a good relationship with the County. They have three permanent board members plus Nick Lippincott who is filling in as a nonvoting member due to his status with the Best Friends Animal Society. They hope to adopt bylaws at a board meeting next week. Commissioner Van Beek said there is interest in the community to look at how the shelter is operating and to look into a request for proposals (RFP) process. The County is the owner of the building with a tenant trying to provide a service and we need a functional shelter with good financials. Commissioner Brooks said WVHS does not have stable leadership, or an executive director and former employees and board members have provided information about the shelter burning through cash. He said the board members should have presented a business plan with financial information but none of that has been provided. Tyler Byers said they are fighting multiple battles on multiple fronts, and they are working with a nationwide organization dedicated to ensuring the animals get the services they need and they will bring in a professional to tell them how to operate a shelter while they search for a fulltime replacement, and they are trying to obtain grants so they do not have to ask the County for emergency support. As a new board member, he has not received the financial information, but Caleb Smith has met with an accountant who will review their financial records this weekend and provide an update and a quote on how to get financial statements in order. There are two veterinarians on staff, and one relief veterinarian for contracted services. The Best Friends Animal Society provided a temporary relief grant of \$67,000 to make sure core staffing levels are maintained and services continue to be provided. The primary account has just over \$50,000 pending the May and June payments for services. Commissioner Holton expressed concern that the City of Nampa and the City of Caldwell are not paying their proportionate share while the County is paying a much higher rate. Mr. Smith said they plan to speak with both cities and make sure the contracts reflect the appropriate level of service being provided. Mr. Byers said Canyon County provides 56% of their contractual revenue and he doesn't think it's an equitable distribution based on services, and feels they are inadequately supported by some of the cities as well and they're hoping to address it with them. Mr. Lippincott noted that the City of Nampa's FY2025 funding commitment is \$83,300. Commissioner Brooks said they need an executive director who has a financial interest and is willing to solicit the funding. He and Commissioner Van Beek are in favor of leaving the status quo amount in the budget and said it should be re-evaluated on a more regular basis to ensure it is functioning as it should. Commissioner Holton wants legal counsel to review the lease agreement and considering how poorly the County is being treated proportionately, he wants to look at the contract to make sure we are protecting the taxpayers. He agreed to leave the amount in the budget. Clerk Hogaboam said the request from WVHS was \$300,000 and the ongoing contribution with \$100,000 to the shelter, which is a \$100,000 increase over last year. Deputy PA Wesley said the original contractual agreement was for the remainder of the maintenance budget to be paid at the end, but that changed several years ago when the County retained any maintenance holdover. COO Rast said there needs to be County representation on the WVHS board so we can have access to financial

records. The Board is supportive of budgeting \$200,000 to WVHS and up to \$100,000 for the facility. Mr. Smith said they will commit to 90-day reports for the next year. The Board would like to see all information as soon as it's available, via email is fine, a meeting will not be necessary. The meeting concluded at 4:25 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2024 TERM

CALDWELL, IDAHO JULY 29, 2024

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- O'Michael's Pub & Grill to be used 8/10/24, 8/24/24, and 8/31/24.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Rich Soto, Move from Interim HR Director to HR Investigator
- Trent McRae, Deputy Prosecuting Attorney II - Civil

FILE IN MINUTES

- Treasurer's monthly report for June, 2024
- Treasurer's quarterly report for April 1, 2024 through June 30, 2024

MEETING TO CONSIDER CERTIFICATES OF NONCOMPLIANCE AND A RELEASE OF LIEN

The Board met today at 9:32 a.m. to consider certificates of noncompliance and a release of lien. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Permit Supervisor Cassie Lamb, Code Enforcement Officer Gary Westerfield, Sr. Administrative Specialist Pam Dilbeck (left at 9:35 a.m.) and Deputy Clerk Jenen Ross. The release of lien and certificates of noncompliance were considered as follows:

Release of Lien:

- **18774 11th Ave N., Nampa (R34437010):** The certificate of noncompliance still applies to this property; however, it has recently been sold. The building department has been in contact with the purchaser who has indicated that one of the houses will be demolished and they will try to rehabilitate the other house but if that isn't possible it will also be demolished. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the release of lien for 18774 11th Ave N. Nampa, parcel no. R34437010.

Certificates of noncompliance:

Officer Westerfield and Ms. Lamb provided a review of each property and motions were made as follows:

- **15973 Locust Road, Caldwell (R30055):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a certificate of noncompliance for a public nuisance violation on property located at 15973 Locust Road, Caldwell, parcel no. R30055.
- **17175 Pride Ln, Caldwell (R33151):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a certificate of noncompliance and the zoning and public nuisance violation on property located at 17175 Pride Ln, Caldwell, parcel no. R33151.
- **9127 Randolph Dr, Nampa (R26026):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve a certificate of noncompliance on the building or structure for property located at 9127 Randolph Dr., Nampa, parcel no. R26026.
- **20695 Wagner Rd, Caldwell (R35009):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a certificate of noncompliance for zoning building and public nuisance violation on property located at 20695 Wagner Rd, Caldwell, parcel no. R35009.
- **8426 Lake Shore Drive, Nampa, ID (R29570012B):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a certificate of noncompliance for a public nuisance violation on property located at 8426 Lake Shore Drive, Nampa, parcel no. R29570012B.
- **0 Leigh Road, Parma (R39481503):** Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a certificate of noncompliance on property located at 0 Leigh Road, Parma, parcel no. R39481503.

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

CONSIDER RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO EVRA INC. DBA CASA MEXICO

The Board met today at 10:12 a.m. to consider a resolution granting a new alcoholic beverage license to EVRA Inc. dba Casa Mexico. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. Commissioner Brooks said he has reviewed the application and is in favor of granting the license, he then made a motion to grant a new alcoholic beverage license to EVRA Inc. dba Case Mexico. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-146).

The meeting concluded at 10:13 a.m. and an audio recording is on file in the Commissioners' Office.

ATTEND TREASURE VALLEY PARTNERSHIP MEETING

A Board majority attended the Treasure Valley Partnership Meeting today from 11:00 a.m. to 1:00 p.m. in Eagle, Idaho. This was not a Board of Commissioners meeting therefore no Board action was required or taken.

FY2025 BUDGET WORKSHOP

The Board met today at 2:01 p.m. to conduct a workshop on the FY2025 Budget. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, COO Greg Rast, HR Director Marty Danner, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Banking and Finance Manager Melissa Tucker, DSD Director Sabina Minshall, Administrative District Judge Davis VanderVelde, TCA Benita Miller, Family Court Services Manager Chris Paulsen, Constituent Services Director Aaron Williams, Lt. Martin Flores, Sheriff's PIO Joe Decker, Assessor Brian Stender, Director of Misdemeanor Probation Jeff Breach, Director of Court Operations Jess Urresti, Senior Systems Analyst Steve Onofrei, Steve Burton, and Deputy Clerk Monica Reeves.

Clerk Hogaboam reviewed the following revisions to the budget numbers:

- The Public Defender budget was zeroed out, reducing the budget by several hundred thousand dollars
- \$36,000 for VRT (Valley Regional Transit) was a placeholder for further discussion
- The WVHS budget was reduced by \$100,000
- Added a revenue line of \$34,000 in anticipated payment from the State of Idaho for Public Defender housing in the building
- The TCA modified their personnel request
 - Seeking a part-time Court Assistance Officer rather than a fulltime CAO
 - Withdrew the fulltime Jury Clerk and Deputy Judicial Marshal positions
 - Seeking salary increases for two staff members who will have additional duties
 - Reclassification request for the staff attorneys (Will work with HR on this)

COO Rast and HR Director Danner reviewed the market value adjustments which were summarized as follows:

\$135,149 for a new Deputy Landfill Director position; \$51,090 to reclassify the Mechanic position to a Supervisor position; and \$75,825 for salary adjustment for the Heavy Equipment Operators. HR Director Danner verified equity adjustments for the following positions: Payroll Specialist; Systems Analyst; Recording Supervisor; Director of Indigent Services; County Assistance positions; Chief Deputy Treasurer; Banking and Finance Manager; IT Operations Manager reclassification; promotion of Deputy Coroner to Senior Deputy Coroner; \$10,000 adjustment for the Facilities

Director due to extra responsibilities; DSD Engineering Supervisor; DSD Principal Planner; DSD Plans Examiner; HR Investigator; HR Business Partners; Communications Specialist; Assessor's Reappraisal and Motor Vehicle Department adjustments; TCA requests have been verified but works needs to be done on grade adjustments and job descriptions via resolution before the number can be applied; Staff Attorneys; the Deputy Chief Judicial Marshal increase has been verified but Director Danner believes a grade change is warranted; Lead Court Assistance Officer; Promotions for PCN 048 and 082; and the Office Coordinator.

- There will be a \$10,000 placeholder for mid-year adjustments for Elections Office.
- The \$1,550 amount that was supposed to be a for a Deputy Treasurer position will be removed as the position is now vacant.
- The Prosecutor's request for a Victim Witness Coordinator and Criminal Deputy PA III has not been verified. There are questions regarding title changes, job description changes and grade changes. The Board wants to wait for the new Prosecutor to take office in January and decide whether he wants the positions. This will be discussed on July 31.
- Certification pay has been verified.
- The amount for the Sheriff's amount was increased to \$895,619 to cover benefits
- On-call amount of \$31,750 for the Fleet Department
- On-call amount of \$6,229 for District Clerk employees who are on the rotation schedule

COO Rast noted that just because the amounts are in the budget doesn't mean they are approved. Further discussion needs to occur.

Assessor Stender agreed to forgo his request this year for \$50,000 for the remodel of the DMV as long as the remainder of his budget can remain intact.

Clerk Hogaboam said the equity adjustments, new position requests, the PERSI adjustment, and a 2% COLA would represent a \$5.4M increase in the "A" Budget. Fund balance does not cover the potential outflows of capital needs. State shared revenues look to be mostly flat; the health trust is a concern; the Aumentum software will be a large expense; the Pod 6 final payment is expected to be \$1.7M; and there are questions about what the County will have to come up with once the ARPA projects are fully under contract. Difficult decisions will have to be made in order to try to get closer to a balanced budget. The Board will meet again on July 31, 2024. The meeting concluded at 3:33 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2024 TERM
CALDWELL, IDAHO JULY 30, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- CDW-G in the amount of \$211,246.58 for the Sheriff's Office (PO #5850)

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 (arrived at 9:37 a.m.), Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Coroner Jennifer Crawford (left at 9:37 a.m.), Facilities Director Rick Britton (left at 9:51 a.m.), Parks Director Nicki Schwend (left at 9:51 a.m.), Outdoor Recreation Planner Alex Eels (left at 9:51 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Agreement for Pathology Services between Canyon County and Ada County: Coroner Crawford said that the fees have been updated since last year but this is essentially the same contract. Mr. Wesley explained that they worked with Ada County to remove the language regarding ICRMP as Canyon County is no longer insured with ICRMP. Ada County declined to make the change but legal has spoken with The Hartwell Corporation and they have confirmed they will provide coverage even though this language hasn't been updated. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the agreement for pathology services between Canyon County and Ada County (see agreement no. 24-073).

Consider Legal Services Agreement with Castleton Law, PLLC: Mr. Klaas explained this is to allow Castleton Law to represent the county and specifically the Prosecutor's Office in the lawsuit that was recently filed in federal court. Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with Castleton Law, PLLC (agreement no. 24-074).

Consider Notice of Intent to Award Bid for the 2024 Celebration Park Boardwalk and Decking Project: The low bid on this project was received from Veritas at \$274,300. This contractor has previously done work at Celebration Park so Directors Britton and Schwend are very comfortable working with them. As discussed in the Parks budget meeting on July 26th, this project will be rolled to FY25 and at the request of the Board, Director Schwend will send an email to the Clerk, Controller and all pertinent parties reconfirming that decision. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the notice of intent to award bid for the 2024 Celebration Park Boardwalk and Decking project.

Consider Notice of Intent to Award Bid for the 2024 Celebration Park Boater Improvements Project: This is a grant funded project and bids came in significantly higher than the grant amount or the expected amount. Bids remain open for 60 days so Directors Schwend and Britton with assistance from legal will explore other options for budget feasibility. Mr. Klaas has contacted both

contractors notifying them of the situation. At this time, the action item will be tabled and Directors Schwend and Britton will come back in 2 weeks to provide an update to the Board.

Ms. Keys gave an update on the tax deed hearing that took place on July 24th explaining that after the hearing it was discovered by the Treasurer's Office that a payment of \$553.20 was made on PIN 213755090 for the 2020 taxes which excludes the parcel from being taken for tax deed. The payment was inadvertently delivered to the incorrect office and the Treasurer's Office was only made aware of it after the hearing had taken place. Based on the date stamp, the payment was received in a timely manner. Commissioner Van Beek made a motion to amend exhibit A on the tax deed FCOs which were signed on July 24, 2024. The motion was seconded by Commissioner Brooks and carried unanimously. A copy of the revised the document is on file with the July 24th minutes, no document was presented to nor signed by the Board at today's meeting.

Zach Wesley informed the Board that the Taylor Jene hearing on the county's motion strike will take place tomorrow.

Commissioner Van Beek will forward document received by the Board to legal for review and opinion.

Commissioner Van Beek moved to adjourn the meeting.

The meeting concluded at 9:54 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER SIGNING TAX CHARGE ADJUSTMENTS BY PIN, JUNE 2024

The Board met today at 10:20 a.m. to consider signing tax charge adjustments by PIN for June 2024. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross. The Board has reviewed the document and are in favor. Commissioner Van Beek noted this represents an adjustment of \$325.85. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the tax charge adjustments by PIN for June 2024. The meeting concluded at 10:21 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: A 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 1:32 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 "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, Steve Runyan, Carl Anderson (the applicant), and Deputy Clerk Monica Reeves. Planner

Lister advised that the applicant requested a continuance because the agent for the case is unable to attend due to a medical emergency and is requesting the matter be tabled to a different date. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to continue the hearing for Case No. CR2022-0007, to August 20, 2024 at 1:30 p.m. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to adjourn to the continued date. The meeting concluded at 1:35 p.m. An audio recording is on file in the Commissioners' Office.

JULY 2024 TERM

CALDWELL, IDAHO JULY 31, 2024

APPROVED CLAIMS

- The Board has approved claims 608079 to 608124 in the amount of \$406,491.11
- The Board has approved claims 608000 to 608044 in the amount of \$29,063.63
- The Board has approved claims 608045 to 608078 in the amount of \$59,963.31

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for:

- Good Apple Taphouse to be used 8/10/24.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Debra Amyx, County Fair Temporary Hire
- Lyndee Cobler, County Fair Temporary Hire

FY2025 BUDGET WORKSHOP

The Board met today at 9:32 a.m. for a FY2025 budget workshop. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Sr. Systems Analyst Steve Onofrei, Director of Misdemeanor Probation Jeff Breach, HR Director Marty Danner, Judge Davis Vander Velde, Family Court Services Manager Chris Paulson (left at 9:57 a.m.), TCA Benita Miller, Landfill Director David Loper, Cpt. Ray Talbot, Lt. Travis Engle, Cpt. Harold Patchett, Cpt. Chuck Gentry (left at 9:57 a.m.), Lt. Chad Harrold, CCSO PIO Joe Decker, Facilities Director Rick Britton, COO Greg Rast, JoDee Arnold, Assessor Brian Stender (arrived at 9:40 a.m.), Director of Juvenile Probation Elda Catalano (arrived at 9:41 a.m.) and Deputy Clerk Jenen Ross.

The following items were discussed:

Elections:

- Print-on-demand unit usage during the last election cycle; this line item has been reduced to \$175,000
- Adjustment to Consolidated Elections - reducing by \$25,000 and moving \$17,500 to current expense, with a net savings of \$7500
- Funds will be kept in the budget for printed ballots if they end up being necessary

Landfill:

- 532206, Refrigeration Unit Removal, increase from \$4000 to \$6000
- 532208, Household Hazardous Waste Collection, anticipated price increase from vendor so this line item will be increased to \$250,000
- 532216, Geotextile, reduce from \$10,000 to \$5000
- 532220, Landfill Expansion, reduced by \$50,000 to \$100,000
- 533301, Service Contracts, for back-up internet services this needs to be increased to \$17,000
- 548480, Condensate Transportation, increase to \$15,000
- 577100, Computer Equipment, increased to \$25,000
- 680335 Landfill Gas Pipe, reduce to \$20,000
- 683340 Other Improvements, increased to \$160,000

Total increase of \$39,000 to the 'B' budget. The anticipated revenue without the interest added on savings is \$9,888,000 and should go over the \$10M mark once the interest is added in.

Capital projects:

- Contract for sprinkler systems: Currently \$250,000 has been budgeted for phase 1 of 3 of this project. At this point no contract has been signed and the project could be done on an 'a la carte' basis. Commissioner Brooks is not in favor of appropriating the funds. In response to Commissioner Van Beek's question, Director Britton said that doing the project on a piece-by-piece basis will make it more expensive. He also expressed his concern for finding a vendor as time goes on. Commissioner Van Beek supports Commissioner Brooks' position and \$250,000 will be removed from the Facilities budget for this project.

Commissioner Van Beek requested a review of the funded but vacant positions. Clerk Hogaboam said he would defer to Director Danner. COO Rast said that a list would be provided administratively to the Board on Friday. Specific discussion ensued regarding the following:

- IT Programmer/Analyst position which was approved last year as a new FTE
- PCN 672 Court Clerk Lead which is new vacancy
- PCN 897 Risk and Safety Manager has been reclassified to a Benefits Administrator

Clerk Hogaboam suggested there should be a dedicated meeting to discuss all vacancies.

- Review of the number of new positions to this point is 11.5; 4 positions have been unfunded so the net effect to the FTE count is 7.5.

At this point, the chairman would like to leave this as-is; this is the best information there is to this point.

Clerk Hogaboam said currently the budget includes a \$250,000 reserve, but doesn't include foregone or COLA; the interest deduction will affect the revenue side. In response to a question from Commissioner Brooks, Clerk Hogaboam said the budget presented today includes the full cost for Pod 6 and discussed property acquisitions. This is a fully loaded budget. Additionally, Clerk Hogaboam discussed several different possible budget scenarios.

Parks & Rec:

- Levy was under \$1M then it jumped to \$1.6M to fund capital projects
- The amount levied this year will be contingent upon approval of the Parks Manager position

Clerk Hogaboam said his plan for the meeting Monday is to present a spreadsheet with several budget scenarios.

Discussion ensued regarding the Weed & Pest budget impacts of an additional position in relation to increased services/fees, the Sheriff's Office fund balance, state public defense and the Guardian ad Litem program.

Commissioner Van Beek moved to adjourn the meeting. The meeting concluded at 11:06 a.m. An audio recording is on file in the Commissioners' Office.

THE MINUTES OF THE FISCAL TERM OF JULY 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 16th day of November, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS



Commissioner Leslie Van Beek



Commissioner Brad Holton



Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK By: Jenew Ross, Deputy Clerk

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved the following employee status change forms:

- Chole Mohr, Juvenile Detention Officer
- Delia Hanes, Deputy Prosecuting Attorney II - Criminal Division

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

The Board met today at 9:36 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Health Board Trustees Martin Flores, Jennifer Watters and Yvonne Baker (left at 9:43 a.m.), Director of Constituent Services Aaron Williams, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Open Proposals for Request for Proposals for Employee Benefit Brokerage and Consulting Services:

The Health Plan Trustees will meet Monday to review and discuss the submissions and a recommendation will be presented to the Board at a later time. Submissions were received from the following companies:

- Alliant

Received 7/31/24 at 4:55 p.m.

- HUB Mountain States Limited

Received 7/31/24 at 3:42 p.m.

- Arthur J. Gallagher

Received 7/31/24 at 3:15 p.m.

- USI One Advantage

Received 8/1/24 at 8:49 a.m.

- Alera Group

Received 8/1/24 at 10:48 a.m. (late submission)

Based on legal advice, this bid was opened in order to be included and will be addressed at a future meeting.

Mr. Williams and Mr. Wesley provided an update on impact fees, guidelines for creating a committee and next steps as well as guidelines for collecting and using impact fees.

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 9:51 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 Van Beek took a roll call vote where she along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Zach Brooks and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Director of Constituent Services Aaron Williams and COO Greg Rast. The Executive Session concluded at 10:20 a.m. with no decision being called for in open session.

Commissioner Van Beek noted that a legal staff meeting will be scheduled for Monday.

The meeting concluded at 10:20 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION APPOINTING BRUCE MILLS TO THE SOLID WASTE ADVISORY COMMITTEE

The Board met today at 10:34 a.m. to consider a resolution appointing Bruce Mills to the Solid Waste Advisory Committee. Present were: Commissioners Leslie Van Beek and Zach Brooks, COO Greg Rast, Solid Waste Director David Loper, Bruce Mills from the City of Caldwell, and Deputy Clerk Monica Reeves. Director Loper said the City of Caldwell represents one of the seats on the committee and prior to today Ashley Newbry was that representative; however, the Public Works Director for the City of Caldwell has asked Bruce Mills to sit on the committee. Mr. Mills serves as the Deputy Public Works Director for Transportation and he spoke of his work experience and interest in serving on the committee. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolution appointing Bruce Mills to the Solid Waste Advisory Committee. The appointment is through September 30, 2026. (Resolution No. 24-147.) The meeting concluded at 10:38 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 10:49 a.m. to consider matters related to indigent services. Present were: Commissioners Leslie Van Beek and Zach Brooks, Director of Indigent Services Yvonne Baker, Case Manager Kellie George and Deputy Clerk Jenen Ross.

Case nos. 2024-30, 2024-31 and 2024-32 all meet the eligibility criteria for county assistance and upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the cases as read into the record.

Case no. 2010-1009: The applicant on this case is requesting a reduction in the lien amount so it can be paid off prior to the purchase of a home they are trying to buy. The total amount paid by Indigent Services was \$60,758.85, \$6200 has been repaid leaving a remaining balance of \$54,558.85; the last payment made on the account was July 27, 2022. The home they'd like to purchase is \$439,000 and they'd like to close on August 6, 2024. The applicant has proposed a total payment of \$16,367.66 which is about 30% of the remaining balance. The purchase is being made with an FHA loan which prevents a lien from being placed on the newly purchased home. Commissioner Brooks indicated that he would consider some kind of reduction but does not support this proposal. Board direction to the Indigent Services department is to explore other options with the applicant. A motion was made by Commissioner Brooks to deny the request. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 11:01 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER A RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO BEC 120 LLC DBA BELLE EVENT CENTER

The Board met today at 11:31 a.m. to consider a resolution granting a new alcoholic beverage license to BEC 120, LLC dba Belle Event Center. Present were: Commissioners Leslie Van Beek and Zach Brooks, and Deputy Clerk Monica Reeves. After reviewing the application and related paperwork, Commissioner Brooks made a motion to sign the resolution granting a new alcoholic beverage license to BEC 120, LLC dba Belle Event Center. The motion was seconded by Commissioner Van Beek and carried unanimously. (Resolution No. 24-148.) The meeting concluded at 11:32 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(E) TO CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE IN WHICH THE GOVERNING BODY IS IN COMPETITION WITH GOVERNING BODIES IN OTHER STATES OR NATIONS

Commissioner Brooks made a motion to go into Executive Session at 1:38 p.m. pursuant to Idaho Code, Section 74-206(1) (e) to consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations. The motion was seconded by Commissioner Van Beek. 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, Deputy PA Laura Keys, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, Certified Property Appraiser Supervisor Holly Hopkins, Caldwell

Economic Development Director Steven Jenkins, and representatives from Project Lifestyle and Project Ag-Tech. The project representatives left at 2:24 p.m. The Executive Session concluded at 2:46 p.m. with no decision being called for in open session.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 2, 2024

APPROVED CLAIMS

- The Board has approved claim 608125 ADV in the amount of \$26,561.45

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Gartner, Inc., in the amount of \$5,650.00 for the Information Technology Department (PO #6061)
- Mountainland Supply Company in the amount of \$7,374.55 for the Facilities Department (PO #6019)

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for:

- County Line Wine Company to be used 8/31/24

EXECUTIVE SESSION – DISCUSS PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B) AND (D)

Commissioner Van Beek made a motion to go into Executive Session at 2:06 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, DSD Director Sabrina Minshall, Assistant DSD Jay Gibbons, Planning Supervisor Carl Anderson, and Deputy PA Zach Wesley. The Executive Session concluded at 3:28 p.m. with no decision being called for in open session.

DEVELOPMENT SERVICES DEPARTMENT WORKSHOP ON PRIORITIES AND EFFORTS

The Board met today at 3:28 p.m. for a DSD workshop on priorities and efforts. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, DSD Planning Supervisor Carl Anderson,

Deputy PA Zach Wesley, DSD Office Manager Jennifer Almeida, and Deputy Clerk Monica Reeves. Director Minshall provided an outline in the form of handouts which were reviewed as follows:

BOCC Input Needed:

1. Are these your priorities?
 - a. What else concerns you that you want addressed and in what relative priority
2. Is this pace acceptable?
 - a. Can the BOCC commit the time needed, or we can slow it down- workshops and individual BOCC policy conversations for context and guidance.
3. Acknowledgement of the interrelatedness of many of the issues, and need for clear, collective policy objectives and intent before writing the ordinances; topics build on each other.
4. Expectations for staff "recommendations" are best practices to achieve what we hear are the policy goals. We do not have personal agendas.
5. Expectations on how to engage P and Z, and timing.
6. Expectations on level/frequency/timing on public and advocate engagement/input.

Pace/Time: 14-18 mo. (adopting in end of 2025 or early 2026, with Interim Products)

- Staff preparation including agency input- **underway**
- Legal review and work product- **30 days**
- BOCC workshops (2X month)- 2nd half August end March=**14 workshops**
- Staff updates/revisions- **30 days**
- P&Z workshop (X2 each "topic breakdown", 1 extra meeting /month)- September-March+ **7 workshops**
- Public/stakeholder workshop (x2) **30-60 days**
 - Public/agency written comment period- *during public workshops* **30-60 days**
- BOCC follow up workshop before hearing process (X2) **45 days**
- Staff updates to finalize hearing draft as directed- **30 days**
- PZ formal hearing process- **30-60 days**
- BOCC formal hearing process- **30-60 days**

Phase 1: Operational Interim Interpretations- Many need discussion w/BOCC

Done/Finalizing

- Private roads- **at legal, finalizing**
 - Driveways applicability of code
- Property boundary adjustments for legal non-conforming - **done**
- Combining fees vs combining applications- **done**
- Replacement structures and applicability of code/private roads and addressing changes- **done**
- Applicability of land division process for public uses- **finalizing**

Underway/Coming

- IFC applicability and Canyon County processes
- Original parcels determinations resources and requirements; Parcel inquiries versus "entitlement verification"
- Requirements of evidence and applicant burden of proof for non-viable land divisions
- Easement reduction criteria
- "After the Fact" land divisions
- Historic Development Agreement Applicability and path forward
- Standardization of 3rd party agency conditions

Phase 2: Priority Ordinance Updates/Comprehensive Plan Update

August, 2024- February 2026 — (14-18 months); may include Interim products/updates (if applicable)

1. DSD Fee Schedule Update
2. Rezone/Conditional Rezones
3. Comprehensive plan approach- Update/Structure (2-3 workshops)
4. Building Code/IFC applicability and process clarity (may or may not require ordinance updates)
5. Code Enforcement tools, penalties, property violations and application/permit processing; Temporary Use Permits and RV's
6. Administrative/Process based ordinance amendments for inconsistencies, lack of definitions, criteria alignment with operational interim interpretations; Very Limited update to land use matrix

Phase 3: Ordinance Updates Dependent upon Comprehensive Plan

March 2026- November 2027 (16-18 months; may include Interim products/updates (if applicable))

Some may be able to be done with the Comp Plan adoption if the "how" is needed but will potentially extend that phase timeline.

- Administrative land divisions
- "Original" parcel intent and procedures
- Non-viable farmland division
- Relocation of building permits
- Secondary dwelling units
- Minor/Major subdivisions
- Private roads and driveways
- Simple change/minor amendment/replat of subdivisions
- Short plat definition and criteria
- Hillside standards and requirements
- Design standards for certain zones
- Agritourism/wineries/event centers
- Telecommunication facilities
- Solar farms

Director Minshall said Phase 1 is a peek behind the scenes of the work they are doing. Phase 2 is numbered 1-6 in the sequence DSD needs to bring them to the Board and in terms of priority. Are those the right six and are they in the right order?

Commissioner Holton said the Commissioners need a day or two to digest the information and think about they want to do, and they could send their individual thoughts to the Chief Operating Officer who can coalesce them and send them to Director Minshall to get a feel for what the Board does, or we could schedule another meeting to discuss it on the record. Director Minshall talked about having a legal executive session briefing on when it comes to policy issues and Board engagement with the director, and what is really an opening meeting violation or serial meetings vs. what is key information that there are questions on. She worries we are being too cautious where she needs to have some conversations and questions for the Board and she needs better guidance around that. Commissioner Van Beek wants to give feedback directly to Director Minshall rather than COO Rast who has things to do. Deputy PA Zach Wesley said he could provide legal advice on that in Executive Session which was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 4:02 p.m. pursuant to Idaho Code, Section 74-206(1)(d) and (f) to discuss records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the

motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, DSD Director Sabrina Minshall, Assistant DSD Jay Gibbons, and Deputy PA Zach Wesley. The Executive Session concluded at 4:41 p.m. with no decision being called for in open session.

The open discussion resumed at 4:41 p.m. Commissioner Holton said the printouts have been very informative and he looks forward to the fee schedule and said they can change those priorities next week. He wants to have two meetings per week. Commissioner Van Beek said at the next meeting she would like a timeline with some concrete deliverables. Director Minshall said we can continue to brainstorm and have dialogue on the timelines and determine some realistic deliverables so we can look at some drafts. Commissioner Van Beek said the Board has an interest in the public being privy to the open meeting aspect, but it is raw data we are just considering, and we have to contemplate all the options and some of it represents change and how we're going to do business that's in the best long-term interest of the County. She then made a motion to adjourn. (There was no second to the motion.) The meeting concluded at 4:46 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 5, 2024

APPROVED CLAIMS

- The Board has approved claims 608126 to 608165 in the amount of \$134,966.88
- The Board has approved claims 608207 to 608246 in the amount of \$141,954.47
- The Board has approved claims 608247 to 608287 in the amount of \$30,319.50
- The Board has approved claims 608288 to 608315 in the amount of \$29,196.00

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Apex Integrated Security Solutions in the amount of \$51,653.55 for the Facilities department (PO #6020)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Ryan Shores, Deputy Prosecuting Attorney II – Criminal

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1) (C), (D), AND (F) REGARDING AN ACQUISITION OF AN INTEREST IN REAL PROPERTY, RECORDS THAT ARE 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 9:35 a.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (f) regarding an 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. A roll call vote was taken by Commissioner Holton 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: Commissioner Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, COO Greg Rast, Clerk Rick Hogaboam, Controller Kyle Wilmot, Sr. Systems Analyst Steve Onofrei and Norm Brown. The Executive Session concluded at 9:54 a.m. with no decision being called for in open session.

Commissioner Holton noted this meeting will be continued to 2:00 p.m. tomorrow, August 5th.

The meeting concluded at 9:55 a.m. and an audio recording is on file in the Commissioners' Office.

RECEIVE CLERK'S FY2025 SUGGESTED BUDGET

The Board met today at 10:01 a.m. to receive the Clerk's FY2025 Suggested Budget. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Sr. Systems Analyst Steve Onofrei, Auditing Supervisor Sarah Winslow, Elections Supervisor Haley Hicks, HR Director Marty Danner, Judge Davis Vander Velde, TCA Benita Miller, Lt. Martin Flores, Facilities Director Rick Britton, CCSO Financial Manager David Ivers, Director of Constituent Services Aaron Williams, Communications Specialist Chad Thompson, Director of Court Operations Jess Urresti, Director of Misdemeanor Probation Jeff Breach, Director of Juvenile Probation Elda Catalano, Chief Deputy Sheriff Doug Hart, DSD Director Sabrina Minshall, CCSO PIO Joe Decker, Cpt. Chuck Gentry, Cpt. Harrold Patchett, Lt. Travis Engle, Lt. Chad Harrold, Parks Director Nicki Schwend, Historic Preservation Officer Chelsea Boehm, Parks Programs Manager Dylon Starry, COO Greg Rast, JoDee Arnold, Assessor Brian Stender (arrived at 10:15 a.m.) and Deputy Clerk Jenen Ross.

A letter was presented to the Board regarding the fiscal year 2025 Canyon County Budget. Areas highlighted in the letter include:

- Annual Comprehensive Financial Report
 - Canyon County total net position decreased by \$20,858,243 during fiscal year 2023
- County's Recent Salary History
 - Scenario presented includes a 2% COLA although the Clerk also has a 1.5% scenario available.
- Revenue Highlights
- Historical Implications
- Budgetary Goals

- One of the Clerk's goals is to reduce the reliance on fund balance as a revenue source to balance the operational budget
- Significant capital purchases or what is referred to as "extraordinary" or "non-recurring expenses" should not be viewed as part of the normal on-going budgetary demand for the county. There is about \$4M in the budget that the Clerk would put in this category - Pod 6, property acquisitions within the Facilities and Parks budgets – collectively these total the \$4M.

A review of the PowerPoint presentation was as follows:

- **Budgetary Assumptions**

- ARPA: \$30,181,518.88
- Melba Gopher: \$12,000 levied
- Pest Levy: \$289,309 levied amount
- SWDH: levy is at the request of \$2,416,404
- Landfill Enterprise Fund: revenue now is \$10,299,875; expenses at \$8,768,677.57. Expense side will only change based on potential COLA implications.
- All funds not being levied property taxes remain as requested based on the workshops
- External agency requests, including the animal shelter, remain as requested from the workshops
- VRT remains at \$36,000 as a placeholder

- **Budgetary Updates**

- \$1300 Amazon Business subscription added
- Net neutral adjustments for the Guardian Ad Litem program
- PERSI increase has been added to benefits
- Interest allocations have been distributed, affecting budgeted revenues as follows:

Current Expense #001	District Court #104	Justice Fund #116	Interest 911 #118	Solid Waste #401	Self Insurance #452	CCNU #607
38.30%	6.40%	15.40%	5.40%	27.40%	7.00%	0.10%
\$ 574,500.00	\$ 96,000.00	\$ 231,000.00	\$ 81,000.00	\$ 411,000.00	\$ 105,000.00	\$ 1,500.00

- New Positions

Dept	Position	Cost
Landfill	Landfill Admin Specialist	72,994.00
Landfill	Deputy Director	135,149.00
Coroner	Deputy Coroner	77,156.39
Coroner	Deputy Coroner	77,156.39
Facilities	Project Manager	112,208.31
Weed	Weed Technician	77,979.00
TCA	Court Assistance Officer	25,350.00
County Agents	4-H Program Coordinator	75,581.00
Sheriff	New positions	361,433.00
IT	ISO	132,070.00
Parks	Parks Supervisor	101,683.00
PA	Chief Deputy	210,208.00
Total		1,458,968.09
Enterprise		208,143.00
Non-Enterprise		1,250,825.09

- Market Adjustments

<i>Total Market Adj</i>	\$ 1,601,210.06
<i>Total New Positions</i>	\$ 1,458,968.09
Total REQUESTED Salary Exp	\$ 3,060,178.15

- Budget Scenarios

- As-is – currently the default in PowerPlan
- Clerk's Suggested Option #1: W. \$200k reserve / NO forgone / MINUS PM, ISO, PARKS / MARKET @100% / 1.5% COLA
- Clerk's Suggested Option #1A: W. \$200k reserve / NO forgone / MARKET @100% / 1.5% COLA
- Clerk's Suggested Option #2: W. \$200k reserve / 1% forgone / MARKET @100% / 2% COLA

- Foregone: Philosophy and context

- Historical Salaries

	Salaries	Benefits	Sal + Ben Exp	YoY \$	YoY %
2018	\$ 42,581,502.16	\$ 19,884,194.48	\$ 62,465,696.64	\$ 1,444,604.05	2.37%
2019	\$ 45,335,966.59	\$ 20,447,347.65	\$ 65,783,314.24	\$ 3,317,617.60	5.31%
2020	\$ 47,440,473.95	\$ 21,162,723.22	\$ 68,603,197.17	\$ 2,819,882.93	4.29%
2021	\$ 47,473,837.95	\$ 21,316,028.58	\$ 68,789,866.53	\$ 186,669.36	0.27%
2022	\$ 53,741,801.38	\$ 22,356,143.54	\$ 76,097,944.92	\$ 7,308,078.39	10.62%
2023	\$ 61,573,569.59	\$ 24,594,844.53	\$ 86,168,414.12	\$ 10,070,469.20	13.23%
2024	\$ 66,052,341.44	\$ 25,713,896.38	\$ 91,766,237.82	\$ 5,597,823.70	6.50%
2025	\$ 63,146,486.00	\$ 24,561,577.00	\$ 87,708,062.98	\$ (4,058,174.84)	-4.42%
2025 w 2% COLA			\$ 89,158,062.98	\$ (2,608,174.84)	-2.84%

- FY25 Unfunded positions

CLERK	CHIEF DEPUTY	\$ 178,569.62
TCA	STAFF ATTORNEY	\$ 112,470.70
TCA	EVICITION COURT MEDIATION COORDINATOR	\$ 72,191.00
HR	COMPENSATION/BENEFITS	\$ 132,159.00
Total Unfunded		\$ 495,390.32

- State Sales Tax Revenue

SALES TAX REVENUE			
Year	Total	DIFF	YoY%
2014	\$ 8,125,628.00	NA	NA
2015	\$ 8,850,149.00	\$ 724,521.00	8.92%
2016	\$ 9,577,621.00	\$ 727,472.00	8.22%
2017	\$ 10,236,018.00	\$ 658,397.00	6.87%
2018	\$ 11,199,750.00	\$ 963,732.00	9.42%
2019	\$ 12,018,098.00	\$ 818,348.00	7.31%
2020	\$ 13,039,211.00	\$ 1,021,113.00	8.50%
2021	\$ 16,013,224.00	\$ 2,974,013.00	22.81%
2022	\$ 18,105,050.00	\$ 2,091,826.00	13.06%
2023	\$ 18,629,212.00	\$ 524,162.00	2.90%

- Levy Rate Projections

CANYON COUNTY LEVY RATE			
TAX YEAR	TYPE	AMOUNT LEVIED	LEVY RATE
2023	Actual	\$56,364,662	0.001614778
2024*	w/ Forgone	\$58,864,985	0.001557819
2024*	w/o Forgone	\$58,273,237	0.001542159

- Property Tax Projections

RESIDENTIAL: OWNER OCCUPIED							
	2023				2024		
	PARCEL	AVERAGE	TAX		PARCEL	AVERAGE	TAX CHARGE*
	COUNT	TAX VALUE	CHARGE**		COUNT	TAX VALUE	w/ Forgone** w/o Forgone**
CITY OF CALDWELL	14,025	229,673	\$370.87		14,591	234,955	\$366.02 \$362.34
CITY OF NAMPA	24,485	249,046	\$402.15		25,349	257,898	\$401.76 \$397.72
OTHER CITIES	3,993	271,727	\$438.78		4,231	280,932	\$437.64 \$433.24
RURAL (Excl Cities)	15,205	440,896	\$711.95		16,045	452,593	\$705.06 \$697.97
COUNTY TOTAL	57,708	296,456	\$478.71		60,216	305,835	\$476.44 \$471.65

*Estimated levy rate and tax charge

**Does not included homeowner tax credits

- Future Needs and Contingencies

- Aumentum
- Court Clerk Equipment
- Capital Projects
- ARPA Projects

Clerk Hogaboam noted that supplemental revenue is not included in the budget.

A general discussion ensued regarding the budget and implications of different scenarios.

The goal of the Clerk's Office is to publish in the newspaper in two weeks but would like some additional time to verify numbers.

Commissioner Holton said the Board is not going to make any decisions today but that they will take the information provided and evaluate the options.

COO Rast and Clerk Hogaboam spoke to the number of positions that were requested vs. what was included in today's presentation, how COLAs and market adjustments may be applied and the savings in a phased approach to filling new positions and applying COLAs.

Commissioner Holton made a motion to continue this meeting to Wednesday at 10:00 a.m. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 11:51 a.m. An audio recording is on file in the Commissioners' Office and the documents reviewed are on file with this day's minutes.

ACTION ITEM: CONSIDER RESOLUTION ADOPTING THE JOB DESCRIPTION AND TRANSFER OF ONE GIS POSITION FROM THE ELECTIONS OFFICE TO THE INFORMATION TECHNOLOGY DEPARTMENT

The Board met today at 1:35 p. m. to consider a resolution adopting the job description and transfer of one GIS position from the Elections Office to the Information Technology Department. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Assistant IT Director Eric Jensen, HR Director Marty Danner, HR Business Partner Anna Gray, HR Business Partner Jennifer Allen, HR Business Partner Cindy Lorta , Clerk Rick Hogaboam, Controller Kyle Wilmot, Director of Court Operations Jess Urresti, and Deputy Clerk Monica Reeves. Clerk Hogaboam spoke about the benefits of having a GIS person to assist with elections said once their work is completed the IT Department could put them to use on other GIS-related tasks that would be a better value for the investment in this position rather than assigning them other duties in the Elections Office. IT will house the position and work in partnership to make sure they prioritize the needs of the Elections Office and utilize them with the elections load is diminished. Chief Deputy CIO Jensen said the position will be a backup to IT GIS administrator and assist with other GIS duties in the County when they are not performing work in the Elections Office. There were follow-up questions from Commissioner Van Beek. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the resolution adopting the job description and transfer of one GIS position from the Elections Office to the Information Technology Department as presented. (Resolution No. 24-149.) The meeting concluded at 1:44 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER THE FOLLOWING PARTICIPATION AGREEMENTS AS PROPOSED BY CRUEGER DICKINSON IN CONTINUED RESOLUTION OF THE OPIOID LITIGATION SETTLEMENT PROCESS: KROGER

The Board met today at 2:01 p.m. to consider the following participation agreements as proposed by Crueger Dickinson in continued resolution of the opioid litigation settlement process: Kroger. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Oscar Klaas, Clerk Rick Hogaboam, Controller Kyle Wilmot, Constituent Services Director Aaron Williams, and Deputy Clerk Monica Reeves. Deputy PA Klaas said this is a settlement in the opioid series of cases which the county has been a participating litigant. This settlement is with Kroger. The global settlement is \$1.372 billion, which will be adjusted for fees and costs that will come from private counsel and the state attorneys general, and after those come off the top there is an allocation per state based on population, and it appears Idaho will receive .8 of a percentage of the overall

global settlement after the adjustment. The allocation after that is: 40% will go to the state as a whole; 20% will go to the health districts; and 20% will be split among the participating subdivisions which the County would be part of. Out of that 20%, Canyon County has been allocated .075 percentage of that population. There isn't a hard number at this stage, but it's anticipated to be smaller than some of the other settlements because we are dealing with a retailer and not a manufacturer of the products. The recommendation from class counsel was to enter in the settlement. The funds are restrictive and must be spent on opioid-specific remediation purposes to be paid out over 11 years with the payment coming on March 31st of each year. There is no time limit to spend the money, just the restrictions on how to spend it. Commissioner Van Beek is in favor of receipting this and having the Chairman sign for it. She said the County could look at funding programs for people who are incarcerated to help with addiction issues. Commissioner Brooks is in favor of signing the agreement. Commissioner Holton asked if the health district is going to increase their desire of the County funding them directly from our budget? Deputy PA Klaas said the health districts will also get a percentage of the 20%. Clerk Hogaboam said there might be potential opportunities with the Sheriff's Office and others that have not yet been fully explored. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the participation agreement listed as Exhibit "K" as proposed by Crueger Dickinson in continued resolution of the opioid litigation settlement process, and to approve Chairman Holton to sign for the funds. (Agreement No. 24-075.) Once the agreement is signed Deputy PA Klaas will upload it and send it so we meet the deadline. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn the meeting which concluded at 2:09 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM
CALDWELL, IDAHO AUGUST 6, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- The Wrap in the amount of \$6468.48 for the Sheriff's Office (PO #6067)
- Oregon Rifle Works in the amount of \$68,462 for the Sheriff's Office (PO #6068)
- Federated Ordnance, LLC in the amount of \$11991.90 for the Sheriff's Office (PO #6069)
- Core & Main in the amount of \$32,282.80 for the Landfill department (PO #5992)

APPROVED CLAIMS

- The Board has approved claims 608166 to 608206 in the amount of \$289,162.68
- The Board has approved claims 608362 to 608392 in the amount of \$35,063.81
- The Board has approved claims 608393 to 608424 in the amount of \$252,555.49

APPROVED AUGUST 9, 2024 PAYROLL

- The Board approved the August 9, 2024 payroll in the amount of \$2,336,143.92

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved an employee status change form for:

- Christine Smith, GIS Analyst

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

The Board met today at 9:35 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Director of Parks Nicki Schwend (left at 9:42 a.m.), Historic Preservation Officer Chelsea Boehm (left at 9:42 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider signing notice of award – consultant for Snake River Canyon Preservation Assessment:

Three proposals were received and following interviews, Historical Research Associates, Inc best meets the needs of the county for this project. Director Schwend spoke about the project and how it was determined that Historical Research Associates was the best fit. The notice of award will be signed by the Board today and the contract will be added to the Board's agenda for consideration at a later date. Commissioner Holton made a motion to sign the notice of award noting that Commissioner Van Beek will sign later today. The motion was seconded by Commissioner Brooks and carried unanimously.

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

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

Commissioner Brooks made a motion to go into Executive Session at 9:43 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton. Commissioner Holton took a roll call vote where he along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae and COO Greg Rast. The Executive Session concluded at 9:56 a.m. with no decision being called for in open session.

Commissioner Brooks motioned to adjourn the meeting at 9:56 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

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 2:04 p.m. pursuant to Idaho Code, Section 74-206(1) (c), (d) and (f) regarding an 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, Clerk Rick Hogaboam, Controller Kyle Wilmot, Deputy P.A. Zach Wesley, COO Greg Rast and Realtor Norm Brown. The Executive Session concluded at 2:31 p.m. with no decision being called for in open session.

AUGUST 2024 TERM
CALDWELL, IDAHO AUGUST 7, 2024

APPROVED CLAIMS

The Board has approved claims 608425 to 608455 in the amount of \$12,311.11

The Board has approved claims 608536 to 608557 in the amount of \$65,160.77

The Board has approved claims 608317 to 608361 in the amount of \$360,330.56 * *Also approved on 8/12/24 for a different amount.*

The Board has approved claims 608456 to 608488 in the amount of \$121,045.71

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Drone Nerds in the amount of \$25,468.00 for the Sheriff's Office (PO #6070)
- UPLIFT Desk in the amount of \$8,284.00 for the Facilities Department (PO #6022)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Rich Soto, HR Investigator – Removal of Lead Pay

CONTINUED MEETING TO RECEIVE CLERK'S FY2025 SUGGESTED BUDGET

The Board met today at 10:03 a.m. for a continuation of the August 5, 2024 meeting to receive the Clerk's Suggested Budget for FY2025. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Clerk Rick Hogaboam, Controller Kyle Wilmot,

Auditing Supervisor Sarah Winslow, Misdemeanor Probation Director Jeff Breach, Facilities Director Rick Britton, Juvenile Detention Director Sean Brown, TCA Benita Miller, Family Court Services Manager Chris Paulsen, Administrative District Judge Davis Vander Velde, Chief Deputy Sheriff Doug Hart, Lt. Martin Flores, Captain Harold Patchett, Assessor Brian Stender, Senior Systems Analyst Steve Onofrei, HR Director Marty Danner, Constituent Services Director Aaron Williams, Communications Specialist Chad Thompson, Sheriff's PIO Joe Decker, JoDee Arnold, and Deputy Clerk Monica Reeves.

COO Rast said he reviewed the Clerk's information on the suggested budget and got feedback from the Commissioners on the objectives they want to do which he reviewed as follows:

- The Clerk had three options: 1, 1A, and 2 and the Board was unanimous on Clerk Option #2.
- Placing \$200,000 reserve in the general budget under current expense to be used for costs since they removed almost \$1M in capital expenses. It could also be used for the new Prosecutor who takes office in January. It would have to be a 3-0 vote by the Board to allocate that amount to the appropriate budget.
- 1% forgone will work into the base next year.
- Market adjustments that were presented by Directors and Elected Officials are 100%.
- 2% COLA, with a slight shift in the COLA calculations based on the objectives and the positions. The first objective was funding the 13 ½ critical positions of the 26 requested positions. The Board is prioritizing those positions as a critical need, part of which was public safety to expand law enforcement, and to take care of fair market adjustments for qualifying staff starting October 1, by resolution and employee status change forms. Apply a COLA for nonmarket salary adjustments for qualifying staff; so it's either COLA or market adjustment.
- Budget for a supplemental or occupancy prorated tax revenue, which is projected at \$650,000 in revenue and \$650,000 in expense would be a net zero change in the budget.
- There is a \$1.9M placeholder in the budget in anticipation of Pod 6, the female detention facility. We have offered a lower amount of \$1.546M in repairs and upkeep.
- Strategize around a 2-year budget forecast
- Potentially no new positions in FY2026
- Focus on existing employees through COLA, pay schedules, and merit
- Hold the FY2026 expenses close the FY2025 baseline as possible
- Hold start dates of new approved employees of the 11 ½ governmental funded positions until February 1, 2025, pending financial reports of the first quarter of FY2025.
- COLA and fair market adjustments will be put in place between October and November of FY2025.
- Procurement of an adjacent property to benefit the Fleet and Facilities Departments. Potential to use ARPA funds for the \$1.7M purchase. (There was a placeholder of \$1.705M, but it takes it out of ARPA.)

- Determine average of unspent historical trends from FY2012 to current

The Board concurs with the summary review.

There was a review of the historical unspent data. (The spreadsheets reviewed are attached with this day's minute entry.)

In the Clerk's suggested budgeted: the \$1.705M was in the budget and the ARPA amount was \$30,181,519. He removed the \$1.705M out of ARPA with a remaining balance of \$28,476,519.60.

For FY2025 what's in the suggested budget is \$76,012,271 minus the \$1.705M with a new revenue line of \$74,307,271.

"A" Budget stays as-is because ARPA doesn't impact that; the \$65,337,282 in expenses on the "B" budget side. If you minus \$1.705M we have a new expense line of \$63,632,282.

The landfill enterprise fund consists of nontaxpayer dollars so it is separate.

\$45,830,752 is minus the \$28M of ARPA, which is the remaining amount for revenue. Our property tax full levy with the 1% forgone, the 3%, new construction is \$58,864,985. This is where we get into budgeting we have not done before: the supplemental or occupancy prorated tax and unanticipated revenue is \$650,000 and an expense for \$650,000 that net zeroed it out. It would take a unanimous Board decision to spend out of that expense if the revenue came in. "B" budget expenses without ARPA is \$35,155,763. Between revenues and expenses, there is a negative balance of \$15,369,851. Salaries make up 70% of our expenses. It's a heavy load and we have to be careful about what we do on the salary side. If you take the 11.81% on the average of unspent of the \$120M expense, that is an anticipated amount of unspent of \$14,256,510.94. Counter those two numbers and the burn is a **-\$1.1M**.

Regarding Pod 6, this is the last year to purchase to own the facility and COO Rast anticipates it is only worth \$354,000 of the \$1M but is waiting to hear if ADS will accept that. He ran a best-case scenario of subtracting another \$1.546 out on the "B" budget side and that would be the net positive of \$432,659.94.

Regarding the self-funded health trust, costs are through the roof. There will not be any increases on employee contributions until calendar year 2025 when we have a broker in place and can determine what the new plans look like.

The Sheriff's Office pay schedule was approved in FY2023 to go into place in FY2025 for the commissioned staff. It also includes the Sheriff's command staff. The commissioned salaries total \$15.2M, if you take specialty pay of \$281,200 out of the number at a proposed 1.5% COLA, that's \$224,767.44. There is also a benefit load. The remaining salary amount for general employees, including elected officials is \$45.8M, minus specialty pay, and certification pay, with a 2.5% COLA, which is \$1.143M, and a benefit load of \$228,707. If we do fair market value adjustments and a

COLA (one or the other) it will reduce that number. The COLA calculation is the worst case scenario.

If we delay the new positions to a start date of February 1st, there will be a savings of \$481,459. The new position cost is \$1.405M based on .67% of that is \$977,000, that is the difference of a full load to start date. The fair market value adjustments is \$1.6M and is already accounted for on the “A” budget side. If you do all the calculations that’s a net burn of \$741,000 from the general fund. The general fund can sustain that, but there is the \$1.5M for Pod 6 and if we have to pay the full amount that burn goes up.

New position requests:

- There were 25 whole requests (some part-time going to full-time), but the tentative is 11½:
 - Prosecutor’s Office: Senior Chief Deputy requested by Chris Boyd who takes office in January
 - Sheriff: 3 Deputy patrol staff for: 1 is a sergeant, 2 deputies
 - Coroner: 2 Deputy Coroners
 - Facilities: Project Manager; Weed spray applicator (adjusted fees to help cover majority of this position)
 - Parks: Celebration Park Supervisor (potential fee structure for revenue for the County)
 - IT: Information Security Officer
 - Courts: Part-time Court Assistance Officer
 - County Agent: The position was 96% funded through the “B” budget; it was a transfer to the “A” budget.

It will take FY2024-FY2026 to pay for all the positions based on our general fund and where we’re at. That’s where the FY2026 hold comes in. The priority is taking care of current employees. If we do new positions and COLAs and hold employee contributions on the health trust until next year he believes it will pencil out. The Clerk used a 10% unspent projection. Commissioner Brooks said the PA Senior Chief Deputy position that Chris Boyd wants cannot wait until February. Commissioner Van Beek said the Board has the liberty to identify a critical need and Mr. Boyd may want to do a reorganization of the office for that one position and the other new positions could be held until February. Commissioner Holton agreed to a start date of January 1st but said he is uncomfortable cherry picking one employee over another. The Board could choose to fund that one position out of the \$200,000 amount referenced before, but that is a slippery slope.

Clerk Hogaboam said the savings are being double booked because the vacancy rate is already being applied and then it’s being applied again by delaying the start date and the assumption of what the savings are. Keep in mind you are applying a vacancy rate on unspent because of vacancies and then adding on top of that another rate. The vacancy rate in the County is at historic lows, that’s a good thing, but it means there are less savings at the end of the year. 88% to 90% is a \$1.2M to \$2.4M swing in the projections, and by delaying the hire that’s adding into the

vacancy rate savings as well. We have some minor disagreement about how those numbers will spec out as far as the actual savings, but we need to make sure we are not double-booking anything. Regarding the supplemental, based on further research and after we confer with PA Civil, we can possibly book this as revenue, but we need to get confirmation of an interpretation of a rule. Assessor Stender believes, based on updated projections, that the \$650k amount is higher than he would like. Occupancy and supplemental values are not calculated until November and tax bills go out in December. The market is changing so we need to be conservative. The Clerk does not want to make hard budgetary commitments out of that revenue line high where you are funding ongoing needs - it would be more like supplementary or extraordinary type items. The concern is not to over-obligate. He proposed a delay in hires so he can look at the first quarter of state-shared revenue and process what the numbers are. He proposed phasing the COLA but he is okay with it being implemented on October 1, and if Chris Boyd needs a position in January, that is fine with him. We need to process real time information and let it inform our decisions. Commissioner Holton said he is okay with holding until February with the caveat that Chris Boyd might need immediate hires when he takes office, and he would be okay with funding that for the month. Commissioners Van Beek and Brooks agree.

Commissioner Holton said what's been presented needs some finessing with the Clerk and if we are making fair market value adjustments then they are excluded from the COLA. Commissioners Brooks and Van Beek agree. Last year the Board tried to be intentional to quit taxing our populace over known funded vacant positions and that is part of the cushion that prior administrations have banked on and this Board felt it was unfair to the taxpayer, but it takes the margin that you might get to operate. He is comfortable that we can make policy decisions on the fly that will protect the County and how it may or may not be getting the income. He is okay with the delayed hires and instituting the COLAs on October 1st to the extent they can get placed. Commissioner Brook asked if an employee's market adjustment does not equal the 2.5% of the COLA are we going to give that person the remaining balance to be equivalent to the 2.5% COLA? COO Rast said if the fair market is 1% they should at least at a minimum get 2.5%. Commissioner Brooks concurs. Commissioner Holton said everyone will be analyzed, one at a time. COO Rast said these numbers are the worst case, even if you do either or on the 2% minimum. A lot of the market adjustments were beyond the 2.5%. On holding the line for FY2026, the 11.81% goes down to 10% and it rolls into 2026; you can absorb some of that because with the potential of that \$3M to \$4M, COLA is not going to consume all of that and so that's why with the data analytics and holding it on a two-year strategy plan is a buffer. Clerk Hogaboam asked if the range is moving as well with the COLA? COO Rast said yes, we have grades established so they would all slide by that percentage of the COLA that's approved so if you're redlined they would get that 2.5% on the slide of the grade. The market adjustments play within the grade; the only grade it will not change is grade 11 which is the lowest grade because the starting point is \$18 and if we keep sliding that it will change our minimum start point so that is the only grade that will extend a little and the rest will go on a proportion. Clerk Hogaboam said the new positions are budgeted at mid knowing the COLA is going to move the range slightly, he is not encouraging that the mid move up. Commissioner Van Beek wants to get away from the unplanned, unbudgeted requests for mid-year increases that compound at the start of a new year. Commissioner Holton said he is not in favor of a mid-year salary increase where, because of a vacancy, increases are spread among existing employees, but

if a department is doing transfers and adjustments within their budget and it doesn't effect next year's budget starting point that's perfectly fine.

COO Rast said at the July 27 compensation meeting, there was a packet introducing a market analysis for the Sheriff's command staff that didn't make it to the agenda. In FY2023 the pay schedule was approved to go into effect in FY2025. They surpassed a full year of increases to help introduce this plan in FY2025 and in that plan they did a pay schedule which is different than merit. The schedule falls around the deputies, corporals and sergeants. The deputies have 10 steps; corporals have 5 steps and sergeants have 4 steps and that's up the ranks into lieutenants which is more of a supervisory role that does not get overtime. The other part of the pay schedule was in the recruitment of the three tiers of lieutenants, captains, chief and the Sheriff. The rubric that was approved is based on the Sheriff's pay; the original was 5% to the chief, 5% then off chief to the captains, then from the captains to the lieutenants. They revamped that to 6% because what they were seeing from the Sheriff's salary down is the lieutenant was getting paid above market rates, so they spread that out. Idaho Code, Section 31-3106 states all salaries of elected officials are set once a year by the Board through the budget process. If you get the adjustments you don't get the COLA. The analytics show that the Sheriff's salary is 15% behind the Nampa Police Chief, 10% behind the Ada County Sheriff, 13% behind the Caldwell Police Chief, and 14% behind the Meridian Police Chief. Sheriff Donahue's salary is currently at \$154,500 and they are proposing to increase it to \$165,000 which then impacts that 6% in the pay schedule. The Sheriff would not get the COLA, it would just be the equity adjustment. The other Elected Officials would get 2.5% like every other employee. We need to clear that by adjusting the Sheriff's salary it also adjusts 10 other positions in the command staff. Commissioner Van Beek said fees are contributing significantly to the revenue stream for the Sheriff's Office and that should help offset some of the costs. It takes dollars to have people in place who are willing to put their life on the line to protect citizens. Clerk Hogaboam said we are not counting the pay schedule the same as market adjustments. The 1.5% would apply to commissioned staff, it's not either or. COO Rast said the one caveat to that is on the command staff, they would not get a COLA because it's an adjustment.

Chief Deputy Sheriff Doug Hart said they agree, and they want the report they prepared to be public record, but for the 1.5% COLA, if that decision is made he prefers it to be applied to be the scale so that the scale continues to live and grow. That's their retention and recruitment piece and so for commissioned non-command staff 1.5% would be applied to the wage scale. COO Rast said the COLA will affect the pay schedule exactly the way our grades for the non-commissioned is those grades would slide based on that percent.

Clerk Hogaboam said if the Board is okay with this then his office will prepare some numbers. He rolled out the \$1.7M, we are waiting for Pod 6; but we need to publish something ahead of time and if we don't have confirmation on the Pod 6 amount we could publish high and then we could go down. For purposes of trying to figure out the 1.5% and 2.5% COLA and how that applies that will take some work. He can open each division in PowerPlan and see what the payroll budget is and take the salary portion and apply the 2.5%, with benefits it would be closer to 3% and take the baseline and apply a 3% and take that increment and put it in compensation plan to fill out to see what the budget would look like to then run a scenario to apply the levy taxes. It would come

down from that once we get more precision. There will be further discussion this afternoon to refine the numbers. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The meeting concluded at 11:27 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH BOARD OF COMMISSIONERS AND CLERK REGARDING FY2025 BUDGET

The Board met today at 3:31 p.m. regarding the FY2025 budget. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot (arrived at 3:43 p.m.), Auditing Supervisor Sarah Winslow, Director of Court Operations Jess Urresti, Sr. Systems Analyst Steve Onofrei, Assessor Brian Stender, CCSO Financial Manager David Ivers, HR Director Marty Danner, Director of Misdemeanor Probation Jeff Breach, Cpt. Ray Talbot, Lt. Chad Harrold, Lt. Martin Flores, Cpt. Chuck Gentry and Deputy Clerk Jenen Ross.

FY2025 budget topics were discussed as follows:

- Occupancy revenue and how it's accounted for within the budget. Clerk Hogaboam needs to confirm with legal the administrative rules surrounding the budgeting of occupancy. The recommendation is not to create a contingent line, understanding it is considered 'other revenue', to show it as revenue but not create a corresponding expense line. The Board is supportive of this course.
- Discussion regarding how COLAs and market adjustments were applied within the budget, specifically to employees who receive market adjustments, promotions and part-time or seasonal employees.
- Total levying authority is \$58,864,985 excluding Melba Gopher.
- Tort fund: levy amount and budgeted amount is \$2M. Commissioner Holton would like to leave this as-is and if the budget needs to be reopened to make adjustments that would need to be a public meeting. The full Board is in support of this.
- Review of the FY2025 tentative budget spreadsheet discussing fund balance and burn rates; Clerk Hogaboam feels this example is one way all the property and sales taxes could be distributed which leaves all the funds solvent and without current expense burning any funds.
- Historic Preservation: will be funded at \$76K to support the projects considered urgent.
- Valley Regional Transit (VRT): Commissioner Brooks spoke to his rationale in not wanting to provide funding this year. Commissioner Van Beek expressed her concern in not funding this although she understands the lack of ridership especially in rural Canyon County. The Board is in favor of putting \$36,000 in the reserve line as a placeholder but not necessarily dedicated to VRT.

Commissioner Brooks moved to adjourn the meeting. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 5:00 p.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 8, 2024

APPROVED CLAIMS

The Board has approved claims 606489 to 606535 in the amount of \$162,714.45

The Board has approved claims 608559 to 608560 in the amount of \$17,893.39

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Dell in the amount of \$12,970.74 for the Information Technology Department (PO #6062)
- R&H Wholesale Supply in the amount of \$7,133.04 for the Facilities Department (PO #6029)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Joshua Hunsucker - Deputy Sheriff, Inmate Control
- Gabriel Huerta, Deputy Sheriff, Criminal Investigations
- Rodney Steinmetz, Deputy Sheriff, Courts and Transports

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

The Board met today at 9:33 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek and Brad Holton, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Parks Director Nicki Schwend (left at 9:39 a.m.), Facilities Director Rick Britton (left at 9:39 a.m.), Sr. System Analyst Steve Onofrei (left at 9:53 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross.

The action item was considered as follows:

Consider Contract for the 2024 Celebration Park Boardwalk and Decking Project: Veritas Facility Services and Construction was the lowest bidder and met the qualifications, however, all bids came in higher than expected. This project will be rolled to FY25 and will commence after 10/1/24; the contractor is aware of the change. Director Britton doesn't anticipate weather being an issue and anticipates completion in 6-8 weeks. The contract has been reviewed by the PA's office. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the contract for the 2024 Celebration Park Boardwalk and Decking project (agreement no. 24-076).

Discussion ensued regarding newspaper publication timeline statutes of the tentative budget. Mr. Wesley said he would review an internal budget process memo within his office for additional clarification. The Board directed him to email the Board and Mr. Onofrei with any additional information.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:54 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 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, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, COO Greg Rast. The Executive Session concluded at 10:09 a.m. with no decision being called for in open session.

Commissioner Van Beek moved to adjourn the meeting at 10:09 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

OPENING OF SEALED BIDS RECEIVED FOR THE SURPLUS PROPERTY AUCTION OF PIN 34980000 0, 0 POND LANE, CALDWELL, IDAHO

The Board met today at 1:34 p.m. to open sealed bids received for the surplus property auction of PIN 34980000 0, 0 Pond Lane, Caldwell, Idaho. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Zach Wesley, Norm Brown, other interested citizens, and Deputy Clerk Monica Reeves. The sealed envelopes were opened as follows:

- H & B Crushing submitted a cashier's check in the amount of \$2,000.01. It was noted that a bid amount was not included in the sealed envelope which was received on July 31, 2024 at 1:45 p.m.
- Tiger Investments, LLC, submitted a cashier's check in the amount of \$1,200 along with a purchase and sale agreement and receipt of earnest money noting an amount of \$12,000 (\$1,200 earnest money and \$10,800 purchase price balance). The bid was received on August 8, 2024 at 10:13 a.m.

Deputy PA Zach Wesley reviewed the submissions and said the Board should take the matter under advisement and not make an award immediately so we can see if we are missing something. He will reach out to the designee of H & B Crushing for confirmation. Commissioner Holton made a motion to continue this matter to August 13, 2024 at 9:30 a.m. The motion was seconded by

Commissioner Brooks and carried unanimously. Deputy PA Wesley spoke with representatives of H & B Crushing who were in the audience and asked them to send an email to the Board of Commissioners that confirms their bid is \$20,000.

Commissioner Holton requested legal counsel and an Executive Session was held as follows:

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

Commissioner Van Beek made a motion to go into Executive Session at 1:39 p.m. pursuant to Idaho Code, Section 74-206(1)(c), (d), and (f) regarding acquisition of an interest in real property; records that are exempt from public disclosure; and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Zach Wesley, and Norm Brown. The Executive Session concluded at 2:07 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.

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 2:08 p.m. to consider matters related to Indigent Services. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Indigent Services Director Yvonne Baker, Case Manager Kellie George, Controller Kyle Wilmot, and Deputy Clerk Monica Reeves. The matters were considered as follows:

- Case No. 2024-33 - Indigent Services did an investigation in regards to eligibility and the case meets all eligibility for the County to pay for cremation. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek the Board voted unanimously to approve Case No. 2024-33 as presented.
- Case No. 2010-1009 – This case was brought before the Board last week for a request for a reduction in the lien amount. The applicant was purchasing a home and Indigent Services has since learned the entire amount of \$54,558.85 will be paid through the purchase of the home. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously release the lien contingent upon the closing of in the amount of \$54,558.85 on Case No. 2010-1009 as presented.

The meeting concluded at 2:11 p.m. An audio recording is on file in the Commissioners' Office.

CONSIDER ACTION ITEMS: RESOLUTION AUTHORIZING EXPENDITURE OF AMERICAN RESCUE PLAN ACT FUNDS; AND PURCHASE AND SALE AGREEMENT FOR PARCELS R01596, R01596010, R01596011, AND R01596012 COMMONLY KNOWN AS 1419 E CHICAGO, 1423 E CHICAGO AND 1422 E DENVER STREET IN CALDWELL

The Board met today at 2:32 p.m. to consider a resolution authorizing expenditure of American Rescue Plan Act (ARPA) funds; and to consider entering into a purchase and sale agreement for parcels R01596, R01596010, R01596011, and R01596012 commonly known as 1419 E Chicago, 1423 E Chicago and 1422 E Denver Street, Caldwell Idaho. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Deputy PA Zach Wesley, Controller Kyle Wilmot, Solid Waste Director David Loper, COO Greg Rast, Norm Brown, and Deputy Clerk Monica Reeves. The items were considered as follows:

Resolution Authorizing Expenditure of American Rescue Plan Act Funds: Commissioner Holton said this is about the expenditure of \$1,705,000 of ARPA funds to purchase a property known as the Poly Farm which is comprised of four lots and will be sold as one sale. Commissioner Van Beek said the Board allocated in the FY2024 budget certain expenses to be paid out of that fund which is the basis of the argument now that they are receipted in as revenue into current expense, revenue replacement. This is a good move and represents long-range planning and will be beneficial for a number of offices and departments and has a potential to generate revenue for the County. Deputy PA Wesley said the resolution came out of conversations with the Clerk and Controller about the potential for the purchase and how we would pay for it and where the funds would come from because we didn't have a specific budget line for this in FY2024. A variety of potential funding mechanisms were discussed and in reviewing the FY2024 budget it's clear that the Board did not specifically allocate those funds to particular projects. The 2024 budget includes ARPA funds for other expenses at \$38,106,840. It's not a specific allocation of those funds to projects, but it is very clear that the Board intended those funds to be spent on available County needs within the ARPA funds guidelines. The resolution makes clear that those funds are available; some are spent but a lot of them have not and remain in the budget under the general ARPA other expenses budget line. Miscellaneous property expenses was budgeted at \$1M and this resolution makes clear that the Board will designate another \$1.7M into that general miscellaneous property expenses fund. They do not need to come from a specific project line on those other ones because they are hypothetical and a majority of those funds are not committed yet to any particular project or contract and will likely not be this fiscal year. Commissioner Holton said a commercial property appraisal was done which shows the property has a value of \$1,705,000, which is the amount of the County's offer. The advertised sale amount of the parcels was \$1,795,000. Commissioner Brooks said the property is immediately adjacent to property we already own and we will be able to move in and use it to help offset some of the costs to taxpayers from the Fleet Department outfitting other jurisdictions' vehicles. Commissioner Van Beek said with the space constraints the County is continually looking for places. She then made a motion to sign the resolution designating American Rescue Plan Act funds for permitted expenditures, specifically for the acquisition of this

capital investment in the amount of \$1,705,000 as presented in the resolution. The motion was seconded by Commissioner Brooks and carried unanimously. (Resolution 24-150.)

Consider entering into a purchase and sale agreement for parcels R01596, R01596010, R01596011, and R01596012 commonly known as 1419 E. Chicago, 1423 E. Chicago and 1422 E. Denver Street, Caldwell, Idaho: Deputy PA Wesley said there is material agreement on the major terms of the purchase and there are ongoing conversations regarding the continued occupancy and use of the property until the current owner is ready to vacate. The seller's initial offer included a lease and there was a counter offer with different terms for the continued occupancy and so the agreement isn't ready today but he expects it will be soon. Commissioner Holton said the seller would like the opportunity to have occupancy until May 15th and there are some variances and nuances and he is agreeable to the aggregate amount of the agreement but he wants it contingent upon review by Deputy PA Wesley in a way that is transparent and protects the County. Commissioner Van Beek and Brooks agree. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to approve the agreement contingent upon Deputy PA coming back with a final document that has been reviewed by the seller's attorney. The agreement will be placed on the Board's agenda at a later date. The meeting concluded at 2:45 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 9, 2024

No meetings scheduled this day.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 12, 2024

APPROVED CLAIMS

The Board has approved claims 608317 to 608361 in the amount of \$359,580.58* *Also approved on 8/7/24 for a different amount.*

The Board has approved claims 608561 to 608574 in the amount of \$14,864.00

The Board has approved the July Jury claim in the amount of \$5,566.28

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 13, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Dell in the amount of \$8,354.40 for the Information Technology Department (PO #6063)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved the following employee status change form:

- Jacob King, Assessor's Reappraisal Dept., GIS/Land Records Supervisor

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, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas, Lt. Martin Flores (left at 9:36 a.m.), EOM Christine Wendelsdorf (left at 9:33 a.m.), Deputy Treasurer Tonya May, Chief Deputy Treasurer Jennifer Watters, COO Greg Rast, Assessor Brian Stender (arrived at 9:36 a.m.), Realtor Norm Brown, Representatives from H&B Crushing and Deputy Clerk Jenen Ross.

The action items were considered as follows:

Consider Supplemental Services Addendum with Forensic Logic, LLC: This is standard agreement that is entered into annually which allows for the sharing of information between agencies. The only change this year is the cost which is paid thru the SHSP grant managed by Ms. Wendelsdorf. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the supplemental services addendum with Forensic Logic, LLC (agreement no. 24-077).

Consider a Resolution Approving Award of Badge and Duty Weapon: Deputy Bryce Smith has served with the Sheriff's Office for nearly 27 years and has recently decided to retire. Sheriff Donahue has written a letter requesting Deputy Smith's badge and duty weapon be awarded to him. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving award of badge and duty weapon to Deputy Bryce Smith (resolution no 24-151).

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 9:36 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (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, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas, COO Greg Rast and Realtor Norm Brown (left at 9:46

a.m.). The Executive Session concluded at 9:52 a.m. with no decision being called for in open session.

Continuation: Opening of Sealed Bids received for the Surplus Property Auction of PIN 34980000 0, 0 Pond Lane, Caldwell, Idaho: Zach Wesley explained that two bids were received for this property, neither of which were in strict conformance with the notice. Bids were required to be in writing, in a sealed envelope, include a check for 10% of the bid amount and to be received timely.

The bid received from H&B Crushing included a short memo, the 10 % deposit and was received on time. The deficiency is that it did not specify the bid amount. At the time bids were opened, representatives for HB Crushing were in the audience and able to confirm the bid amount of \$20,001 which was also followed-up with an email confirming the same.

The bid received from Tiger Investments LLC was received timely, included a \$12,000 bid amount and a check for the 10%. The deficiency is that a purchase and sale agreement was included that does not conform to the terms set out by the county. As this is a tax deed property any interest the county has will be transferred by quitclaim deed. The bid submitted required the sale go through a title company for closing and other terms such as transferring of water rights and mineral rights which are both unknown to the county.

In Mr. Wesley's opinion this puts both offers not in conformance so the options for the Board would be to treat both fairly and accept both with deficiencies and make award to the high bidder or decline both offers and start the process again or some other mechanism for getting rid of this surplus property. This property has been offered for auction previously so the county is technically free of any requirements to go through the auction period.

The Board is supportive of accepting both bids with deficiencies and taking the highest bid which was received from H&B Crushing. Commissioner Van Beek moved to award the surplus property of PIN 34980000 0, 0 Pond Lane, Caldwell to H&B Crushing with a bid amount of \$20,001 with the documentation as-is. The motion was seconded by Commissioner Brooks and carried unanimously. Mr. Wesley said the next step will be for H&B Crushing to tender the full purchase price and then the quitclaim deed can be issued.

Resolution Approving an Alcoholic Beverage Transfer License for JX Sushi, LLC dba Momiji Sushi and Steak Bistro: Commissioner Brooks stated that he has reviewed the application and everything seems to be in order, he then made a motion to approve the alcoholic beverage transfer license for JX Sushi, LLC dba Momiji Sushi and Steak Bistro. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-152).

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

ACTION ITEM: CONSIDER CANCELLATION OF PROPERTY TAXES FOR NEW LIFE CELEBRATION CHURCH OF GOD

The Board met today at 10:33 a.m. to consider the cancellation of property taxes for the New Life Celebration Church of God. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Treasurer Jennifer Watters, Assessor's Office Manager Jennifer Loutzenhiser, Deputy Treasurer Tonya May, Deputy PA Zach Wesley, Charlotte Fields, Dionne Clagg, and Deputy Clerk Monica Reeves. Commissioner Holton requested an Executive Session which was held as follows:

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE; COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION; AND COMMUNICATE WITH THE COUNTY'S RISK MANAGER REGARDING PENDING/IMMINENTLY LIKELY CLAIMS

Commissioner Van Beek made a motion to go into Executive Session at 10:34 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) to discuss records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation, and to communicate with the County's risk manager regarding pending/imminently likely claims. 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, Assessor Brian Stender, Chief Deputy Treasurer Jennifer Watters, Assessor's Office Manager Jennifer Loutzenhiser, Deputy Treasurer Tonya May, and Deputy PA Zach Wesley. The Executive Session concluded at 10:50 a.m. with no decision being called for in open session.

Commissioner Holton said the Board has reviewed the application for cancellation, but the taxes for 2024 have not been completed yet so he proposed that an estimate of both properties would be around \$5,100. He suggested a cancellation of a value not to exceed \$5,200. Commissioner Brooks is in favor of the cancellation. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to approve a cancellation up to \$5,200 for this tax year. The cancellation is for Account Nos. 04774-000, and 04778-000. The meeting concluded at 10:54 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION ISSUING A REFUND TO STEVE LAW, CASE NO. SD2022-0019

The Board met today at 11:01 a.m. to consider a resolution issuing a refund to Steve Law, Case No. SD2022-0019. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, and Deputy Clerk Monica Reeves. DSD Office Manager Almeida gave a background on the refund request. The applicant

applied for a preliminary plat along with a comprehensive plan map amendment and a rezone in 2022. The comprehensive plan map amendment and rezone went through the public hearing process and was ultimately denied by the Board and therefore the preliminary plat was not able to move forward. The applicant requested a refund of the unused preliminary plat fees. Staff reviewed the work completed on the project and recommends a refund in the amount of \$593.75. (Supporting documentation is on file with this day's minutes.) Director Minshall gave a review of her communication with the applicant throughout the process. The applicant believes he should receive a full refund for all of the applications that were submitted, not just for the preliminary plat. She said this is why the department changed the processes because if they had not done the engineering upfront the applicant would have had a full refund on the preliminary plat. In addition, there was time spent on the plat that didn't need to be spent until they ensured the entitlements were in place. In the future Director Minshall is recommending to applicants they not submit their preliminary plat until they have gone through the process. Commissioner Van Beek said the Board appreciates Director Minshall trying to set a vision for Canyon County for the future that will benefit everyone and doesn't operate on historic practices that are not in the best of the County. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to issue a partial refund in the amount of \$593.75 because of the detail work that's been done to identify the costs incurred by the County. (Resolution No. 24-153.) Commissioner Holton said in his opinion it's ludicrous the applicant thinks he can apply for a refund for all of it. He spoke of the change in DSD to separate the comingling of applications and is distressed that previous administrations have allowed it. Director Minshall said it can be discussed further when they have their ongoing meetings but once we stabilize the comprehensive plan, next year or the year after, we all need to do a better job reaching out to real estate organizations and title companies. The meeting concluded at 11:15 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 11:16 a.m. to consider matters related to indigent services. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Indigent Services Case Manager Kellie George, and Deputy Clerk Monica Reeves. Case Manager George gave a summary of Case No. 2024-34, which is a cremation application submitted by a funeral home. The Indigent Services Department has done a review and found that the person had assets of value, and noted that the County has a public administration process that could be used in this case. Commissioner Van Beek said it appears there are sufficient funds to pay for the cremation and she believes it should go to the Treasurer's Office to institute the public administration process. Commissioner Brooks agrees. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to deny the request for funds to pay for the cremation for Case No. 2024-34 given that the County is not the payer of last resort and because there are sufficient assets to cover the cost. The meeting concluded at 11:23 a.m. An audio recording is on file in the Commissioners' Office.

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Hart Intercivic in the amount of \$216,764.00 for the Elections office (PO #6077)
- WBS in the amount of \$20,272.16 for the Facilities department (PO #6023)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Melody A. McCombs, DPA I – Criminal (conditional)
- Anja Hansch, Drug Testing Technician
- Jan Julian, Deputy Treasurer

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for the following:

- The Curb Bar & Grill to be used 9/14/24 for the Davis wedding reception
- Swirl Wine Shop and Lounge LLC to be used 8/17/24 for the Shumaker wedding
- The Swanky Saloon to be used 9/14/24 for the Sanchez wedding
- Capital City Event Center to be used 10/19/24 for the Fetzer wedding
- Capital City Event Center to be used 10/18/24 for the Andresen wedding
- Capital City Event Center to be used 10/5/24 for the Bride wedding
- Capital City Event Center to be used 9/15/24 for the Peterson wedding
- Capital City Event Center to be used 9/8/24 for the Nguyen wedding

FY2025 TENTATIVE BUDGET WORKSHOP

The Board met today at 10:01 a.m. for a FY2025 tentative budget workshop. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Sr. Systems Analyst Steve Onofrei, Assessor Brian Stender, HR Director Marty Danner, Director of Constituent Services Aaron Williams, Lt. Martin Flores, COO Greg Rast, CCSO Financial Manager David Ivers, TCA Benita Miller, JoDee Arnold and Deputy Clerk Jenen Ross.

Discussion ensued regarding changes since the last meeting outlined as follows:

- Refinement of the COLA costs

- Occupancy tax – per guidance from the Idaho State Tax Commission, the guidance states: “if a taxing district knows or can reasonably estimate its occupancy tax at the time its budget is certified, it should do so, just like any other non-property tax element that may be estimated”
- A purchase order for \$226,000 will be submitted for print-on-demand units to be purchased in FY24. There will be no need for a budget adjustment as these will be able to be purchased from the ‘B’ budget. The FY25 budget has been reduced by \$125,000 to \$50,000.
- A \$3600 market adjustment for a Deputy Coroner position will not be needed. With Board support, \$13,600 will be moved to reserve/contingent; \$10,000 for Elections and \$3600 for the Coroner’s Office.
- The Valley Regional Transit line amount was zeroed and out moved to reserve.
- A spreadsheet reviewing salaries & benefits, other expenses and total expenses was reviewed (see below). All lines show lower year-over-year which is to be expected with ARPA and Public defense rolling out. \$3.6M in salaries and benefits reflects new positions, market adjustments as well as COLAs.

SUMMARY						
	2022 Actual	2023 Actual	2024 Budget	2025 Tentative Budget	2025 vs 2024	2025 less 2024
Grand Total (\$)						
Salaries and benefits	\$ 70,766,298.22	\$ 80,683,661.64	\$ 91,766,237.91	\$ 88,982,008.00	Lower	\$ (2,784,229.91)
Other expenses	\$ 33,735,924.04	\$ 38,983,580.68	\$ 74,222,438.00	\$ 67,809,803.00	Lower	\$ (6,412,635.00)
Total Expense	\$ 104,502,222.26	\$ 119,667,242.32	\$ 165,988,675.91	\$ 156,791,811.00	Lower	\$ (9,196,864.91)
Grand Total (%)		% Chg 2023	% Chg 2024	% Chg 2025		
Salaries and benefits		14.01%	13.74%	-3.03%		
Other expenses		15.56%	90.39%	-8.64%		
TOTAL \$ (Excluding ARPA & Public Defender)						
Salaries and benefits	\$ 65,369,301.22	\$ 74,656,425.64	\$ 85,335,395.91	\$ 88,982,008.00	Higher	\$ 3,646,612.09
Other expenses	\$ 26,047,704.04	\$ 37,585,448.68	\$ 34,908,603.00	\$ 39,309,803.00	Higher	\$ 4,401,200.00
Total Expense	\$ 91,417,005.26	\$ 112,241,874.32	\$ 120,243,998.91	\$ 128,291,811.00	Higher	\$ 8,047,812.09
TOTAL % (Excluding ARPA & Public Defender)		% Chg 2023	% Chg 2024	% Chg 2025		
Salaries and benefits		14.21%	14.30%	4.27%		
Other expenses		44.29%	-7.12%	12.61%		

- Review of the spreadsheets that have been prepared for publication pending Board approval at tomorrow’s meeting. The documents show actuals for the prior two years, budget for the current year and tentative budget for FY2025.
- The Board would like to see forgone retained for both Melba Gopher and Canyon County Pest Control.
- \$2M will be levied for tort, the budget can be amended if necessary.
- Budget excluding ARPA, Pest, Gopher & Enterprise Funds

Revenue	\$104,854,163.00
Expense	\$119,172,964.36
Net Budget	-\$14,318,801.36

- Scenarios based on percentage of spend from 86-92%

BUDGET EXCLUDING ARPA, LANDFILL, PEST, GOPHER			
Budget % Spent Scenarios	PROJECTED SPEND	100% REV	Rev-Spend
92%	\$ 109,639,127.21	\$ 104,854,163.00	\$ (4,784,964.21)
91%	\$ 108,447,397.57	\$ 104,854,163.00	\$ (3,593,234.57)
90%	\$ 107,255,667.92	\$ 104,854,163.00	\$ (2,401,504.92)
89%	\$ 106,063,938.28	\$ 104,854,163.00	\$ (1,209,775.28)
88%	\$ 104,872,208.64	\$ 104,854,163.00	\$ (18,045.64)
87%	\$ 103,680,478.99	\$ 104,854,163.00	\$ 1,173,684.01
86%	\$ 102,488,749.35	\$ 104,854,163.00	\$ 2,365,413.65
TOT EXPENSE @100%	\$ 119,172,964.36		
TOT REVENUE	\$ 104,854,163.00		

- HR Director Danner confirmed there are 44 funded but vacant positions.
- Commissioner Holton expressed that he wants Public Defender assets inventoried prior to the state taking over on October 1st. Clerk Hogaboam believes this has been done by Facilities and IT.
- A workshop will be scheduled to determine logistics of the budget hearing.

Commissioner Van Beek moved to adjourn the meeting.

The meeting concluded at 10:48 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH CITY OF NAMPA STAFF

The Board met today at 1:40 p.m. with staff from the City of Nampa to review the City's priority projects. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, DSD Assistant Director Jay Gibbons, Senior Public Works Director Tom Points, Water Resources Director Jeff Barnes, Transportation Director Crystal Craig, Communications Manager Kelly Black, Nampa DSD Director Mark Sawyer, and Deputy Clerk Monica Reeves. The priority projects were outlined in a PowerPoint presentation as follows:

Nampa's Recycled Water Program

- History of Nampa's Recycled Water Project
 - In 2010 the EPA Issued Stringent Wastewater Requirements
 - Reduce phosphorus by 2026
 - Reduce temperature by 2031
 - Started a decade-long planning and funding process
- Benefits of Recycled Water
 - Supplements irrigation resources by 11 million gallons per day
 - Addresses declining regional drain flows
 - Protects Boise River fish and fish habitat
 - Improves irrigation water quality

- Irrigation capacity for growth
- Supports our “One Water Plan”
 - Conservation goals
 - Dry scape landscape guide
 - Development code changes

Karcher Constructed Wetlands Project

- Karcher Wetland Overview and Project Goals
- Contaminants of Emerging Concern and Wetlands Overview
- Grant Funding and Project Origination
- Karcher Wetland Project Layout

SH-16 Southerly Connection

The project area is from Robinson Road to McDermott Road and I-84 to Airport Road, which is a one-mile square block area.

Purpose of Study

- The East Nampa Access Study addresses the following concerns:
- Insufficient transportation network south of I-84 and east of Robinson Rd
- Significant projected growth
- SH-16 connection to I-84
- Potential redevelopment
- Comprehensive Plan land use update
- Future connectivity to Airport Road extensions (ACHD project)
- Property owners’ concerns
- Project Goals
- Support mobility, efficiency and accessibility
- Enhance economic vitality
- Support land use/transportation interactions to connect people to work, commerce, and recreation
- Identify appropriate ROW
- Amend City’s Long-Range Transportation Plan

Currently

- Parametrix developing scope of work for IMR/NEPA
- 24-month timeline
- Estimated cost of \$1.1M (city budget)
- Agency partners
- Invitation for Input

Future

- Estimated total project cost of \$70M-\$80M
- Identify Funding

- Development Impact Fees
- Grants
- Other funding opportunities
- Right-of-Way

At this time the initiative they are looking at is a service interchange that attaches to a system

interchange, such as the “Y” in Boise, and they are having conversations with ITD to see if SH-16 south ultimately needs to continue as an expressway to the south. They have been working with the City of Caldwell on the interchange between Middleton and Ustick, and the City of Nampa has helped fund some of that project. Another large project is on Ustick Road because of SH-16 coming in and Ustick will be an interchange, they have been focusing their utility and transportation funding towards that corridor. They are trying to get their trunk line down Ustick all the way to SH-16 and there is a utility impact fee which has been helping fund some of that work. Their second priority is down Madison, across US-20 and a trunk line down Joplin Road toward the County line. They were able to obtain a transportation grant to widen Ustick from Owyhee Storm almost to Can-Ada Road. Additionally, the City of Nampa has plans for a bike master plan that will have connection all the way along Indian Creek into Caldwell. Commissioner Van Beek suggested Nampa staff reach out to representatives from the Deer Flat National Wildlife Refuge who are planning for connectivity along Lake Lowell, specifically on how to allow access to the lake. Commissioner Holton asked if there is any focus for water and sewer north of the lake, but south of Nampa city limits and onto the western boundary, and how much emphasis is there for new arterial mains for development? Staff said the City of Nampa can help front some costs in the areas they know are deep and expensive, and they are trying to pick areas in the impact area that are troublesome. Their first focus is up north and after that they will probably go southeast of the city. They are still seeing people tie into the existing arterials. Commissioner Holton spoke about the importance of having Nampa provide input on what works and what doesn’t work for them when the County is considering land use decisions. Director Mark Sawyer said he recognizes the need for input and he thanked Commissioner Holton for bringing it up. The meeting concluded at 2:38 p.m. An audio recording is on file in the Commissioners’ Office.

ACTION ITEM: CONSIDER ENTERING INTO A PURCHASE AND SALE AGREEMENT FOR PARCELS R01596, R01596010, R01596011, AND R01596012 COMMONLY KNOWN AS 1419 E. CHICAGO STREET, 1423 E. CHICAGO STREET AND 1422 E DENVER STREET IN CALDWELL, IDAHO

The Board met today at 3:16 p.m. to consider entering into a purchase and sale agreement for parcels R01596, R01596010, R01596011, and R01596012 commonly known as 1419 E. Chicago Street, 1423 E. Chicago Street, and 1422 E. Denver Street, Caldwell, Idaho. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, COO Greg Rast, Facilities Director Rick Britton, Norm Brown, and Deputy Clerk Monica Reeves. Deputy PA Wesley said the seller has agreed to a significant amount of our terms for the occupancy agreement and what the post-purchase occupancy is going to look like, what the penalties are, and what the condition of the property will be when it’s returned to the County in May. Upon

approval the Board should designate one member to sign and there are number of changes that need initialed on nearly every page as well as signatures throughout the document. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to authorize Commissioner Van Beek to sign and initial the agreement. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to enter into the purchase and sale agreement for R01596, R01596010, R01596011, and R01596012 commonly known as 1419 E. Chicago Street, 1423 E. Chicago Street, and 1422 E. Denver Street, Caldwell, Idaho, pursuant to the agreed upon changes in the contract. (Agreement No. 24-078.) The property is located adjacent to County property and the buildings will be ready for immediate occupancy once we take possession in May, 2025. A \$5,000 earnest money will be paid to Pioneer Title as soon as possible. The property closing will occur on August 28. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn the meeting at 3:24 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 15, 2024

APPROVED CLAIMS

- The Board has approved claim 608575 in the amount of \$13,000

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Titan HQ in the amount of \$42,066.00 for the Information Technology Department (PO #6064)
- SHI in the amount of \$6,045.00 for the Sheriff's Office (PO #6072)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Tyler Patrick McFarland, Emergency Communications Officer 1, Dispatch
- Shaya Marguerite Layton, Customer Service Specialist, Booking

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Health Board Trustees Mark Tolman, Yvonne Baker, Jennifer Watters,

Jennifer Loutzenhiser, Martin Flores (left at 9:33 a.m.), Controller Kyle Wilmot (left at 9:33 a.m.), HR Director Marty Danner (left at 9:33 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Notice of Intent to Award Contract for Request for Proposals for Employee Benefit Brokerage and Consulting Services: Mr. Wesley explained there is no recommendation prepared at this point. Several competitive proposals were received and the Health Board Trustees are continuing to review the submissions. They may set up interviews with the top selections. Mr. Wesley would like to continue this action item to a date uncertain. An addendum will be signed next week with the revised timeline for this project. Commissioner Holton made a motion to continue this action item to a date uncertain and to approve Commissioner Van Beek participating in the interviews as an ex-officio member. The motion was seconded by Commissioner Brooks and carried unanimously.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:33 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner 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 and COO Greg Rast. The Executive Session concluded at 9:56 a.m. with no decision being called for in open session.

The meeting concluded at 9:56 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER APPROVING FY2025 TENTATIVE BUDGET FOR PUBLICATION

The Board met today at 10:31 a.m. to consider approving the FY2025 Tentative Budget for publication. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Senior Systems Analyst Steve Onofrei, COO Greg Rast, ADJ Davis Vander Velde, Assessor Brian Stender, Director of Court Operations Jess Urresti, Elections Supervisor Haley Hicks, TCA Benita Miller, Family Court Services Manager Chris Paulsen, HR Director Marty Danner, and Deputy Clerk Monica Reeves. Clerk Hogaboam reviewed a few clerical updates that were made to the tentative budget. He has heard from citizens who appreciate the transparency and dialogue in the budget process, and he has also heard from a citizen who feels like the public should have more opportunities to address the budget rather than just at the final hearing on August 28. He said public input is important

and perhaps there could be open houses held next year to engage the public. Commissioner Brooks thanked the Clerk and his team for their due diligence throughout the process, and said citizens are welcome to attend the budget meetings. He also noted that during his term in office he has heard from very few citizens about the budget. Commissioner Van Beek said she appreciates the collaborative effort, the transparency, and the new vision throughout the process. She spoke about the misinformation in the community and said the credibility level is really low for those who criticize the budget process. She said the Constituent Services Department is compiling a budget book which will help people understand the budget. Commissioner Holton said the public has a responsibility to participate in the budget process, but very few attend the meetings. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the FY2025 tentative budget for publication as presented. It was noted that a public workshop will be scheduled prior to August 28. The meeting concluded at 10:50 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 16, 2024

There were no meetings held this day.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 19, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Idaho Tower Construction in the amount of \$12,010 for the Information Technology department (PO #6065)
- Right Systems, Inc. in the amount of \$5037.03 for the Information Technology department (PO #6066)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Lost Creek Investments LLC to be used 10/12/24 for the Valentine and Bell wedding
- Lost Creek Investments LLC to be used 9/29/24 for the Evanow and Klahn wedding

APPROVED AUGUST 23, 2024 PAYROLL

- The Board approved the August 23, 2024 payroll in the amount of \$2,424,585.73

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 and Zach Brooks, Deputy P.A. Oscar Klaas (arrived at 9:43 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Director of Juvenile Detention Sean Brown (left at 9:33 a.m.), Assistant Director of Juvenile Detention Shawn Anderson (left at 9:33 a.m.), Cpt. Harold Patchett (left at 9:51 a.m.), Cpt. Chuck Gentry (left at 9:40 a.m.), Facilities Director Rick Britton (left at 9:51 a.m.), Parks Director Nicki Schwend, Outdoor Recreation Planner Alex Eells, Historic Preservation Officer Chelsee Boehm, Director of Constituent Services Aaron Williams (left at 9:43 a.m.), DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Controller Kyle Wilmot, COO Greg Rast, DSD Planning Supervisor Carl Anderson (arrived at 9:43 a.m.), DSD Office Manager Jennifer Almeida (arrived at 9:43 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Juvenile Detention Housing Agreements with Owyhee County, Valley County, Washington County, Payette County and Boise County: Director Brown explained nothing has changed within the agreements except daily rate which has increased from \$220 to \$235. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Juvenile Detention Housing agreements with Owyhee County (agreement no. 24-079), Valley County (agreement no. 24-080), Washington County (agreement no. 24-081), Payette County (agreement no. 24-082) and Boise County (agreement no. 24-083).

Consider a Resolution Establishing Fees for Services Provided by Tow Companies Participating in the Tow Rotation List System: This resolution equalizes rates when a tow is dispatched by the Sheriff's Office. Previously rates have been set by individual companies, but this will create a standardized rate. The cost analysis guidelines for determining the rates followed the guide used by Idaho State Police. Ideally fees will be evaluated year-to-year to match ISP. Rates will be set prior to open enrollment so tow companies will have the option of being on the rotation list. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution establishing fees for services provided by tow companies participating in the tow rotation list system (resolution no. 24-154).

Consider a Resolution to Make an Appointment to the West Valley Humane Society Board of Directors: Mr. Wesley said that at a meeting a couple weeks ago there was Board direction for Director Williams to be a part of the WVHS Board of Directors. Mr. Williams will participate in an

ex-officio capacity meaning he will have no voting authority but more of an observer role. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution to make appointment of Aaron Williams to the West Valley Humane Society Board of Director (see resolution no. 24-155).

Consider addendum to Service Agreement with Cintas for Facilities Services: Director Britton said that the previous janitorial company used by the county was bought out and prices had increased. Director Britton worked with Cintas who provided an evaluation which indicated they are able to provide the same equipment and supplies with cost savings. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the addendum to service agreement with Cintas for facilities services (agreement no. 24-084).

Consider Agreement with Kimley-Horn for Architecture/Engineering Services for the George Nourse Gun Range Four-Year Phased Construction Plans Project: Mr. Klaas explained this is phase I of the gun range project and is a 60% contract for site build-out but does not complete all the A&E portion. The contract is straightforward and legal has approved. Director Schwend spoke about the plans for the gun range, incorporating use for both the public and the Sheriff's Office. Mr. Rast said the Gun Range Advisory Board is in favor of this and Cpt. Patchett confirmed CCSO is also in favor. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with Kimley-Horn for architecture/engineering service for the George Nourse Gun Range four-year phased construction plans project (agreement no. 24-085).

Consider Snake River Canyon Preservation Assessment Consultant Services Agreement: Several proposals were received for this project and an award letter was recently sent to Historical Research Associates. The contract has been reviewed by legal been signed by the company. Grant funds will be used for this project and Ms. Boehm spoke about the work that will be done with the assessment and the purpose of it. Work is capped at \$10K to be completed September 30, 2025. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Snake River Canyon preservation assessment consultant services agreement (agreement no. 24-086).

The meeting concluded at 9:58 a.m. and an audio file is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 10:03 a.m. for a general business discussion with the Development Services Department. Present were: Commissioner Brad Holton participated via conference call (10:04 a.m. to 11:00 a.m.), Deputy PA Zach Wesley, Deputy PA Trent McCrae, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, COO Greg Rast, DSD Office Manager Jennifer Almeida, DSD Planning Supervisor Carl Anderson, and Deputy Clerk Monica Reeves. Deputy PA Wesley said there is a matter to discuss in Executive Session that involves a property owner and there are potential litigation issues and he wants to give an overview of that matter and the proposed response. The Executive Session was held 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 10:04 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. A roll call vote was taken on the motion with Commissioners Van Beek and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Zach Brooks and Leslie Van Beek, Commissioner Brad Holton via conference call, Deputy PA Zach Wesley, Deputy PA Trent McCrae, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, and COO Greg Rast. The Executive Session concluded at 11:00 a.m. with no decision being called for in open session.

The DSD general business meeting resumed in open session at 11:00 a.m. Present were: Commissioners Zach Brooks and Leslie Van Beek, Deputy PA Zach Wesley, Deputy PA Trent McCrae, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, COO Greg Rast, DSD Office Manager Jennifer Almeida, DSD Planning Supervisor Carl Anderson, and Deputy Clerk Monica Reeves.

There was a report on the following operational updates:

DSD Phone Project

Ms. Almeida reported on the phone tree project which will improve the department's customer service. The goal was to provide telephone numbers so customers can directly contact individual divisions within DSD without having to listen to the lengthy phone tree message when calling the main office telephone number.

Implementation Timeline

- Meet with IT on configuration the week of August 5, 2024
- IT Configuration and setup August 9 through August 23
- Record message on main line – update information on web August 26 through August
- Go live date of September 2, 2024

Standard Operating Procedures to Assist with Implementation

- Expectations of answering the incoming phone calls
- Expectations of return phone call/email timelines

Other Considerations

- Update forms and letterhead with correct phone numbers
- Update website with corrected forms
- Business Cards

(COO Rast, Deputy PA Wesley and Deputy PA McRae left at 11:04 a.m.)

Code Enforcement Follow-up for 11th Avenue and Animal Solution

- Nuisance code enforcements, structural issues.
- The new owner contracted with a demolition company
- Significant issues with cats on the property and they worked Lake Lowell Animal Rescue volunteers worked through the day/night to capture 70 cats on the site.
 - Director Minshall will work with the Constituent Services to recognize the recognize Lake Lowell Animal Rescue who stepped up to help with the community issue.

Discuss Expectations for the Future Meetings/Schedule and Topics/Deliverables

Set the stage for DSD/BOCC sessions:

- DSD/Legal/P&Z/BOCC role and public/stakeholder involvement expectations
- Will meet twice a week to get deliverables
 - Operational Topics
 - Policy Topics

Upcoming topics are scheduled as follows:

August 22 DSD Fee Update

August 27 DSD Fee Update #2 (if needed)

Comprehensive Plan #1

A. Confirm approach to simplifications and format – example of new outline and approach to issue identification (Direction)

B. Maps distributed for analysis; will discuss at a later date.

August 29 Comprehensive Plan #2

- Comprehensive Plan 201 (vs. zoning)
- Maps discussion
- Approach to Area of Impact re-negotiation and applicability to Comprehensive Plan (Direction)
- Middleton joint meeting discussion (Direction)

Deliverables by December 31st: (Direction/Confirmation)

- Draft Ordinance #1 ready for public engagement process – It will include the three areas of focus below. Written comment period/P&Z workshops (Jan–mid Feb 2025), back to BOCC for summary and cover any modifications to the draft (end Feb 2025), P&Z/BOCC public hearing process (March-mid-May, 2025)
 - Conditional Rezone/Comp Plan amendments (criteria, process)
 - Administrative cleanup/clarifications/consistency: Chapters 6 and 7
 - Code Enforcement penalties, processes and consistency: Chapters 2 and 7
- Compliance with state Agricultural Preservation Act (APA) – Ordinance adoption and APA Commission in place
- Planning/Engineering Division Strategic Operating Plan
- DSD Quarterly Reports on metrics and initiatives

- Documented policy and procedure updates regarding International Fire Code applicability
- Comprehensive Plan approach, scope and timelines: update including compliance with the new AOI legislation: Comp Plan work/engagement through 2025-early 2026. May involve interim amendments/products

There was general discussion on the topics, but no Board action was taken. Commissioner Van Beek made a motion to adjourn at 11:58 a.m. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

RESCHEDULE 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 public hearing which was scheduled for today at 1:30 p.m., regarding Greg Payne's request 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, was rescheduled to October 2, 2024 at 1:30 p.m.

AUGUST 2024 TERM
CALDWELL, IDAHO AUGUST 21, 2024

APPROVED CLAIMS

- The Board has approved claim 608340 in the amount of \$750.00
- The Board has approved claims 608600 to 608645 in the amount of \$72,213.82
- The Board has approved claims 608687 to 608736 in the amount of \$81,560.08
- The Board has approved claims 608737 to 608776 in the amount of \$72,240.37
- The Board has approved claims 608810 to 608849 in the amount of \$360,662.75
- The Board has approved claims 608850 to 608889 in the amount of \$349,856.41
- The Board has approved claims 608890 to 608936 in the amount of \$75,035.24
- The Board has approved claims 608937 to 608978 in the amount of \$130,786.93
- The Board has approved claims 608979 to 609023 in the amount of \$95,002.52
- The Board has approved claims 609024 to 609034 in the amount of \$8,862.00

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms:

- Sandi Guerra, Temporary Elections Trainer for November election
- Vivian Ferkin, Temporary Election Specialist for November election
- Trina Harrell, Temporary Election Specialist for November election
- Pamala Black, Temporary help for November election

- Aaron Bazzoli, Chief Deputy – Civil (revised start date from 10/1/24 to 9/2/24)
- Velenlorena L. Montana, Drug Testing Technician, new hire

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Sockeye Grill & Brewery to be used on 9/14/24 for a concert
- 4T Sports Bar to be used 8/25/24 for the Tellez Horseracers event
- Tower Grill to be used on 9/28/24 for the Bolinske wedding
- Tower Grill to be used on 9/7/24 for the Corson wedding
- Craft Lounge to be used on 9/28/24 for the Barrell House Dinner
- Craft Lounge to be used on 9/7/24 for the Heffner wedding

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 22, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Gans & Pugh Associates, Inc. in the amount of \$12,221.00 for the Sheriff's Office (PO #6075)
- Thermo Scientific Portable Analytical Instruments, Inc. in the amount of \$31,072.01 for the Sheriff's Office (PO #6073)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Raising Our Bar to be used on 9/6/24 for the Gonzalez wedding
- Raising Our Bar to be used on 9/7/24 to be used for the Ferguson Water Works event
- Raising Our Bar to be used on 9/14/24 for the Israel wedding
- Raising Our Bar to be used on 9/15/24 for the Ernesto wedding
- Raising Our Bar to be used on 9/20/24 for the Olsen wedding
- Raising Our Bar to be used on 9/21/24 for the Kiley wedding
- Raising Our Bar to be used on 9/24/24 for the Meyers wedding
- Raising Our Bar to be used on 9/27/24 for the Giesler wedding
- Liberty Lounge to be used on 9/6/24 for the Sunset Series event
- Liberty Lounge to be used on 9/12/24 for the Idaho Republican Women
- Liberty Lounge to be used on 9/13/24 for the Sunset Series event
- Liberty Lounge to be used on 9/14/24 for the Bassett wedding
- Liberty Lounge to be used on 9/14/24 for Idaho Youth Ranch Barn Party

- Liberty Lounge to be used on 9/20/24 for the Sunset Series event
- Liberty Lounge to be used on 9/26/24 for the Rhoda wedding
- Liberty Lounge to be used on 9/27/24 for the Sunset Series event

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

The Board met today at 9:34 a.m. for a meeting with county attorneys for a legal staff update and to consider an action item. Present were: Commissioners Leslie Van Beek and Zach Brooks, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Health Board Trustees Martin Flores (left at 9:38 a.m.), Controller Kyle Wilmot (left at 9:38 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider addendum no. 2 for Canyon County's employee benefit brokerage and consulting services request for proposals: This addendum resets the calendar for this project which allows for additional evaluation and interviews by the committee. The notice of intent to award will be on October 3rd and objections will be due by October 10th. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign addendum no. 2 for Canyon County's employee benefit brokerage and consulting services request for proposals.

On Tuesday, August 20th the Board signed the addendum to the service agreement with Cintas for facilities services. Upon receipt of the addendum, Cintas requested that the cooperative acceptance agreement also be signed. Additionally, there was some information missed when the addendum was reformatted. Mr. Wesley and Mr. McRae confirmed that there were no material changes to the contract. Both of the documents were signed the Board this morning and will supersede the addendum that was signed earlier this week.

Recently there was a request received from Assessor Stender to remove Joe Cox from the Health Plan Trustee Board and nominated Jennifer Loutzenhiser as the representative for his Office. The Board is supportive of this change so Mr. Wesley will prepare a resolution for reappointment.

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

EXECUTIVE SESSION – RECORDS EXEMPT FROM PUBLIC DISCLOSURE AND ACQUISITION OF AN INTEREST IN REAL PROPERTY

Commissioner Van Beek made a motion to go into Executive Session at 9:40 a.m. pursuant to Idaho Code, Section 74-206(1) (c) and (d) regarding records exempt from public disclosure and acquisition of an interest in real property. The motion was seconded by Commissioner Brooks. Commissioner Brooks 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 Zach Brooks and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae and COO

Greg Rast. The Executive Session concluded at 9:48 a.m. with no decision being called for in open session.

The meeting concluded at 9:48 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 9:53 a.m. to discuss DSD general business. Present were: Commissioners Leslie Van Beek and Zach Brooks, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Office Manager Jennifer Almeida, Director of Constituent Services Aaron Williams, COO Greg Rast and Deputy Clerk Jenen Ross.

Discussion points were as follows:

- Documents provided to the Board included draft versions of the FY25 proposed fee schedule, FY25 fee schedule specific to building permit fees, a spreadsheet giving a comparison of fees between Canyon County, Ada County, Kootenai County and Bannock County and an exhibit resolution from Ada County which outlines their fee schedule. All of these documents are on file with this day's minutes.
- Approach to fee calculations
 - Board direction has been to look at the actual cost it takes for the county to do the work that is related to a person's application or property specifically.
 - There are tasks done by DSD that are not related to an individual application or are indirect such as long-range planning, general customer service and back-end services such as code enforcement.
 - Fees are estimated based on actuals at this point but staff is time-tracking and over the next year they will continue to evaluate as fact checking.
- Legal direction
 - New fees or increases over 5% require a public notice in the Idaho Press newspaper and a public hearing prior to adoption.
 - The public notice has to run once a week for two weeks.
 - Following the noticing, a public hearing will be held and the Board can consider adoption of the new fees.
 - Per state law, the fee shall not exceed the actual cost of the service being rendered. In order to track costs, a spreadsheet has been created to track costs being considered as far as material, labor, etc. At this point DSD is not trying to capture a complete overhead or a lot of materials; for this step they are focused on the cost of the person doing the work as an average salary and benefits as well as direct cost that are able to be determined with certainty.
- A brief review was provided of how the fees were calculated based on average salary/benefits, ensuring adequate fees are being charged based on the work being done

and how much time is being spent and fees that will either be eliminated or captured in a different way or place.

- Federal per diem rates and average mileage was used for fees that involved inspectors or code enforcement officers as that is a direct cost.
- Examples were provided of fees that had been missing but are now being included in the fee schedule and 'à la carte' fees

The Board broke from the DSD update meeting from 10:33 a.m. to 10:39 a.m. in order to take up a meeting scheduled at 10:30 a.m. Following the break, the following topics were discussed:

- Continued discussion regarding the 'à la carte' fees
- Building permit fee schedule
 - The only proposed change is to the authorized refund amount, changing it from 90% to 75%.
 - Addition for demolition of a structure
 - Correction to roofing fees
 - Revision to solar panel systems
- Discussion regarding comparison of proposed fees vs. current fees including examples

In response to Commissioner Van Beek's question about the Caldwell zoning district, Director Minshall indicated she would come back at a later date with a more thorough answer.

Commissioner Van Beek moved to adjourn the meeting.

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

CONSIDER APPROVING FINAL PLAT FOR COUNTRY SAGE RANCHES, CASE NO. SD2021-0051

The Board met today at 10:33 a.m. to consider approving a final plat for Country Sage Ranches, Case no. SD2021-0051. Present were: Commissioners Leslie Van Beek and Zach Brooks, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Office Manager Jennifer Almeida, Representatives for Country Sage Ranches, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Gibbons presented the staff report stating that this property is zoned single family residential R-1 with 1.4-acre average residential lot size, 3 residential lots, 5 commercial lots, internal public roads with individual wells and septic. Surface irrigation is provided by Black Canyon Irrigation District and the property is located within Middleton's area of city impact. The preliminary plat was approved with 12 conditions which have all been met; the final plat is eligible for final Board signature. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve and sign the final plat for County Sage Ranches, Case no. SD2021-0051

The meeting concluded at 10:36 a.m. and an audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206(1)(B), (D), AND (F), REGARDING A PERSONNEL MATTER, RECORDS EXEMPT FROM PUBLIC DISCLOSURE, AND TO COMMUNICATE WITH LEGAL COUNSEL REGARDING PENDING/IMMINENTLY LIKELY LITIGATION; AND CONSIDER APPOINTMENT OF A NEW CIO DIRECTOR

Commissioner Van Beek made a motion to go into Executive Session at 3:34 p.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Brooks 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 Zach Brooks and Leslie Van Beek, Deputy P.A. Zach Wesley, HR Investigator Rich Soto and COO Greg Rast. Commissioner Brad Holton participated via teleconference. The Executive Session concluded at 4:51 p.m.

Following the executive session, Mr. Wesley said that this morning the Board received an email from the IT Director resigning his position effective yesterday. At this time the county is currently without leadership in the IT department. Mr. Wesley suggested to the Board that before the close of business today an interim director should be established.

Commissioner Van Beek made a motion to amend the agenda to include the appointment of a new CIO Director as per the recommendation by legal counsel. The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Van Beek made a motion to appoint Greg Rast as interim CIO for Canyon County until such time as a new CIO can be recruited. The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Van Beek made a motion to appoint Greg Rast under the established MOU as a quasi 911 Services Director for Canyon County. The motion was seconded by Commissioner Brooks and carried unanimously. Commissioner Holton noted that this is part-and-parcel of the job description that Mr. Rast is taking as the interim CIO.

Commissioner Van Beek moved to adjourn the meeting. The motion was seconded by Commissioner Brooks.

The meeting concluded at 4:55 p.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM
CALDWELL, IDAHO AUGUST 23, 2024

No meetings were held this day.

AUGUST 2024 TERM
CALDWELL, IDAHO AUGUST 26, 2024

APPROVED CLAIMS

- The Board has approved claim 609035 in the amount of \$189.05
- The Board has approved claims 608578 to 608598 in the amount of \$68,349.25
- The Board has approved claims 608646 to 608686 in the amount of \$71,181.24
- The Board has approved claims 608777 to 608809 in the amount of \$51,675.36

APPROVED PURCHASE ORDERS

The Board approved the following purchase order:

- Gartner: IT Symposium in the amount of \$5,650.00 for the Information Technology Department (PO #6079)
- Idaho Survey Group in the amount of \$19,950.00 for the Solid Waste Department (PO #5993)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved the following employee status change forms:

- Joan Silva, Recorder/Passport Specialist
- Bonnie Wood, Temporary Election Specialist
- Krystal Gonzalez, Deputy Sheriff - Inmate Control
- Douglas Ward, Emergency Communications Officer I

PUBLIC HEARING AGENDA WORKSHOP

The Board met today at 3:34 p.m. for a public hearing agenda workshop. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Constituent Services Director Aaron Williams, Controller Kyle Wilmot, Senior Systems Analyst Steve Onofrei, Director of Court Operations Jess Urresti, and Deputy Clerk Monica Reeves. Director Williams presented a quote from Rocky Mountain Audio Visual for \$2,064 to provide A/V services at the August 28, 2024 budget hearing. The company will bring cameras and audio equipment and stream the hearing on YouTube, Facebook and WebEx. It will be a more transparent process so

the audience can follow and track what's going on. The expense will be taken from the IT budget. There was a review and discussion of the draft agenda for the FY2025 Budget Hearing which is scheduled for August 28, 2024 at 5:00 p.m. (A copy of the proposed agenda is attached to this day's minute entry.) The meeting concluded at 4:13 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 27, 2024

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 and Brad Holton, Deputy P.A. Oscar Klaas (left at 9:45 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae (left at 9:45 a.m.), Director of Juvenile Detention Sean Brown (left at 9:34 a.m.), Assistant Director of Juvenile Detention Shawn Anderson (left at 9:43 a.m.), Lt. Travis Engle (left at 9:43 a.m.), COO Greg Rast, DSD Staff Sabrina Minshall, Jay Gibbons, Jennifer Almeida and Carl Anderson (arrived at 9:40 a.m.), Director of Constituent Services Aaron William (arrived at 9:44 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Juvenile Detention Housing Agreement with Ada County: Director Brown explained this is a mutual agreement in case there is a conflict of interest in either facility. This is the 3rd year of this agreement and has only been used once by each county. There is no monetary exchange, this is a courtesy mutual agreement between the counties. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Juvenile Detention Housing agreement with Ada County (agreement no. 24-089).

Consider Malheur County Juvenile Detention Housing Agreement: Although Malheur County is the State of Oregon, Canyon County is the closest facility. This is the 4th year of this agreement and the only change is to the daily rate from \$220 to \$235. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Malheur County Juvenile Detention Housing agreement (agreement no. 24-088).

Consider Canyon County Sheriff's Office Smartphone Application Development Services Agreement with OCV, LLC: A request was made to reschedule this action item until it has been vetted by IT. No action was taken and this will be added back to the agenda when it is ready.

Consider Amendment No. 5 to Agreement for Inmate Health Care Services with VitalCore Health Strategies, LLC: Lt. Engle explained this agreement was established in 2019 and since that time has

worked well for both the county and VitalCore. At this time CCSO is supportive of continuing to work with VitalCore but noted they are always analyzing to ensure they are the best fit for both parties. There is an increase of 10% on the CCSO side and 2% on the Juvenile Detention side, Lt. Engle said this increase is due to the type of inmates they are holding and that the increase is comparable to the increased need for services. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign amendment no. 5 to the agreement for inmate health care services with VitalCore Health Strategies, LLC (agreement no. 24-087).

As part of the legal staff update, Mr. Wesley spoke to the email received regarding the Yanecko case which affirmed the Board's decision; oral arguments will happen tomorrow regarding the Gross Family Trust case; the property transaction is scheduled for closing on Thursday.

Consider Treasurer's tax charge adjustments by PIN for July 2024: Most of these adjustments are homeowner exemptions and upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Treasurer's tax charge adjustments by PIN for July 2024.

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

DSD GENERAL BUSINESS

The Board met today at 9:49 a.m. to discuss DSD General Business. Present were: Commissioners Leslie Van Beek and Brad Holton, Deputy P.A. Zach Wesley (left at 9:54 a.m.), DSD Director Sabrina Minshall (left at 10:48 a.m.), Assistant DSD Director Jay Gibbons, DSD Office Manager Jennifer Almeida, DSD Planning Supervisor Carl Anderson, Director of Constituent Services Aaron Williams, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Minshall reviewed the following topics:

- Comprehensive Plan Update – approach
 - Public Input: How to apply public input and finding a way for the concepts to be implemented.
- Functionality and Usability
 - Simplifying and focusing the current plan: What can be done now.
 - Restructure and Compliance with state laws
 - Anticipating new base documents redlined with portions that will be revised or removed.
 - Incorporation of chapters and revisions
 - Creating a usable document
- Policy
 - Built Environment
 - Agriculture/Growth Interface
 - Cities and AOI

- Essential Services
 - Board wants to ensure the definition of “essential services” is clearly defined
- Comprehensive Plan Scope, Schedule, Deliverables and Tandem Ordinances
 - There are some ordinances being worked on now that are not directly related to the comprehensive plan including conditional rezone vs. rezone and the criteria, administrative clean-up, and matters related to code enforcement
- Maps – Acreage heat map, Agriculturally exempt properties, Soil classifications, Comprehensive Plan 2030 and Comprehensive Plan 2020
 - Provided for Board review, comments and questions at a future meeting
- Planning Fee Schedule
 - Commissioner Van Beek asked if a land use inquiry per parcel can be done by a title company. Mr. Gibbons said that a title company would provide the research back to creation of the parcel but DSD needs to know if it was created prior to 1979 or what has happened to it since that time. He indicated that DSD staff is pretty good at locating the necessary information in an efficient manner. Mr. Anderson said they are working to break apart the parcel inquiries into general inquiries and larger inquiries that they may start requiring a title report to be submitted with those applications.
 - Discussion regarding completeness reviews and associated fees

Commissioner Van Beek moved to adjourn the meeting.

The meeting concluded at 11:18 a.m. and an audio recording is on file in the Commissioners’ Office.

AUGUST 2024 TERM
CALDWELL, IDAHO AUGUST 28, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Mountain Alarm in the amount of \$8,266.33 for the Facilities Department (PO #6024)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved the following employee status change form:

- Dylan Evans - Senior Deputy Coroner

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for:

- Raising Our Bar to be used 9/1/24 for the Clucas Wedding

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

The Board met today at 10:07 a.m. with the Facilities Director to discuss general issues, set policy, and give direction. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Facilities Office Manager Becky Kearsley, COO Greg Rast, and Deputy Clerk Monica Reeves. Director Britton gave a report on the following topics:

- Elections Building Update
- Pod 6 Update
- New Albany/13th Avenue parking Lot to start October 1
- Courthouse parking lot – striping and patch work Union Pacific area
- Industrial Way Warehouse – move out by September 27
- Jail Laundry Room complete
- Dock Removal at Lake Lowell
- Micro Main Upgrade - Testing and Training first week of September
- First Courthouse bricks - 1 pallet – Carpenter historic sign base in park
 - Director Britton will inquire with the Historic Preservation Commission to see if they can offer guidance

Commissioner Holton had questions regarding the Assessor's plat room project that was started last year. The Assessor had budgeted \$25,000 for stand-up desks but then changed the project and it added extra material and costs that came out of the Facilities budget. The cost of the glass for the project will not be covered by the Facilities budget. There are concerns that if the project is not completed by September 30th it will become a fiscal year 2025 unbudgeted expense. Commissioner Van Beek said this is discretionary spending and although Assessor Stender has communicated that the Board has granted similar requests for the Sheriff's Office this is not comparable because the Sheriff has provided a 3-year strategic plan of every expense. Commissioner Holton said we should reconfigure where we are, and the Assessor should cover the difference in his budget. Director Britton said it's not fair to the budget or his staff when projects change, and this project changed multiple times and had to be redesigned multiple times. The Board instructed Director Britton that if a project changes and if there are budget implications the director or elected official needs to meet with the Board to discuss it.

Director Britton's department review continued as follows:

- Weed & Pest - Looking for Collection Agency to address past due invoices
 - Working with Legal

- Weed & Pest staff to perform own box cleaning for a fee of \$100
 - The Board will speak with Legal about this request

Commissioner Holton wants to look at an ordinance change where a non-property owner cannot order weed mitigation without putting up a bond to pay, or, if they don't pay it automatically liens on next year's taxes with penalty and interest. Office Manager Becky Kearsley said they met with Legal who advised that when a landowner asks to mitigate weeds the County cannot put a lien on the property. If it's an abatement where someone has complained, and the owner is not taking care of it and the County has to take care of the weeds and if the owner does not pay for it then we can place a lien on their property. Commissioner Holton said in that case the County will request it be prepaid. Ms. Kearsley said they have a good track record with payments; there are only 9 unpaid accounts out of the 375 work orders they have received this year. The Board wants to discuss this issue with Legal. Director Britton said there are ordinances he wants to change to address the rural rangeland areas that have sagebrush and cheat grass. Commissioner Van Beek said this discussion highlights the need for the Board to look at ordinances, many of which need updated. The meeting concluded at 10:55 a.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH COUNTY ASSESSOR REGARDING PLAT ROOM PROJECT

The Board met today at 11:22 a.m. to discuss the Assessor's plat room project. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Assessor Brian Stender, Administrator Property Appraiser Supervisor Greg Himes, Facilities Director Rick Britton, and Deputy Clerk Monica Reeves. Assessor Stender wants to use the surplus in his FY2024 budget to install glass across the top of new cubicles to help with sound retention. He said other offices/departments have been able to use budget surplus on other projects and he is hoping to do the same. They estimated cost of materials at \$25,000 and he thought the glass was included in the original cost, but it wasn't. Commissioner Brooks said he takes issue with the Assessor comparing his request to the Sheriff's requests because the Sheriff's Office brings in proposals with detailed information including cost breakdowns and they stick to it and when they come to the Board and say there are savings, they're just doing next year's projects with this year's savings. Assessor Stender said he has been asking for a playbook so that everyone can play by the same rules; he will do that in the future. Director Britton said the initial project was for cubicles, two offices and the conference room but all the desks on the cubicles were L-shaped desks that changed to a U-shape and a standup style. He does not recall talking about glass partitions. There were some other changes as well and an additional \$7,000 in costs that were covered by the Facilities budget. Commissioner Brooks said due to lead times it's hard to say if the materials will be here by September 30, and this feels like an unbudgeted item in the ninth inning of the fiscal year, and he cannot reconcile that and does not want to set a precedent. It is an unbudgeted item. Assessor Stender said the money will still be there; unspent monies go to fund balance. Commissioner Van Beek said the unspent of the fund balance is going to be exceptionally tight and this is what was frustrating with a previous Board where they would look at the cost of something and marginalize that in the overall comparison to the budget itself as a whole and all of it matters.

Previous Boards have supported budgeting practices that have us in a very narrow range of contingencies with a lot of needs. Commissioner Holton is concerned that the project will go into next year's budget. Commissioner Brooks is not comfortable going forward with the project and said if it becomes a significant issue put it in next year's budget. Commissioner Van Beek said this is a project that needs to wait. Perhaps there was not communication on the part of the Assessor's Office that was clear enough to even bid this project; there were cost overruns, and the changes are expensive and given the budget year we are in, we need to hold. Even though there is a return to general fund there are places everywhere for those dollars. We must hold the new construction and not put another unbudgeted project on the Facilities Dept. This is not something that can be compared with the life and safety issues in the Sheriff's Office. Commissioner Holton said he is not against the positions of Commissioners Van Beek and Brooks, but asked if they have any guidance for the Assessor on how to address the noise pollution if it becomes a customer service issue? Commissioner Brooks said if it becomes an extreme situation we could perhaps use funds in the reserve account. Commissioner Van Beek said they could see if there are other solutions such as having a space for high conflict calls. It's unfortunate there was better communication on the schematics that were provided. Commissioner Holton said the precedence issue is a concern, and it makes it hard to say yes to one group and no to another group. He sees the Assessor's need. Commissioner Van Beek said there was a prioritization of what the needs are in the Assessor's Office, including retaining quality employees through market adjustments, but this project fell below the bar. She also noted there were cuts from the projects list totaling \$1.3M. Commissioner Van Beek made a motion adjourn. The meeting concluded at 11:56 a.m. An audio recording is on file in the Commissioners' Office.

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D): INTERVIEW AND CANDIDATE EVALUATIONS FOR APPOINTMENT OF THE CANYON COUNTY TREASURER

Commissioner Brooks made a motion to go into Executive Session at 1:34 p.m. pursuant to Idaho Code, Section 74-206(1) (a) and (d) regarding personnel matters and records exempt from public disclosure. The motion was seconded by Commissioner Holton. Commissioner Holton took a roll call vote where he along with Commissioner Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek (arrived at 1:37 p.m.), COO Greg Rast, Candidate Jennifer Watters (left at 1:57 p.m.) and Candidate Carol Mitchell (arrived at 2:12 p.m. and left at 2:40 p.m.). The Executive Session concluded at 2:42 p.m. with no decision being called for in open session. Commissioner Van Beek made a motion to adjourn the meeting. The motion was seconded by Commissioner Brooks and carried unanimously.

FY2025 BUDGET HEARING

The Board met today at 5:26 p.m. to conduct the Fiscal Year 2025 Budget Hearing, which was held in the public meeting room of the Administration Building located at 111 11th Avenue North in

Caldwell. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Clerk Rick Hogaboam, Controller Kyle Wilmot, Senior Systems Analyst Steve Onofrei, Auditing Supervisor Sarah Winslow, Constituent Services Director Aaron Williams, Communications Specialist Chad Thompson, Ambulance District Director Michael Stowell, District Secretary, Leann Axe, Director of Court Operations, Jess Urresti, Fair Director Diana Sinner, Fair Office Coordinator Diana Hoffman, Extension Educator Carrie Clarich, Accounting Specialist Reyna Villanueva, Elections Manager Haley Hicks, Juvenile Probation Director Elda Catalano, Assessor Brian Stender, Juvenile Detention Director Sean Brown, Treasurer Tracie Lloyd, Chief Deputy Jennifer Watters, Deputy PA Zach Wesley, Chief Public Defender Aaron Bazzoli, Parks Director Nicki Schwend, Fleet Director Mark Tolman, Assistant Fleet Director Dawn Pence, Director of Misdemeanor Probation Jeff Breach, Administrative District Judge Davis VanderVelde, HR Director Marty Danner, IT Business Manager Caiti Pendell, Facilities Director Rick Britton, Lt. Martin Flores, Captain Harold Patchett, Lt. Travis Engle, DSD Director Sabrina Minshall, Deputy Trial Court Administrator Chris Paulsen, Jeff Huter, Diann Huter, Cindy Foster, Mike Darlow, Jean Darlow, Jan Hanks, Jodee Arnold, Steve Burton, Laura Holton, Garrett Peterson, other interested citizens, and Deputy Clerk Monica Reeves.

Commissioner Holton opened the hearing and noted the Board has held over 60 meetings/workshops prior to this evening's hearing and recognized the work by Clerk Rick Hogaboam and his staff during the budget process.

Opening remarks were made by Clerk Hogaboam who recognized Treasurer Tracie Lloyd who will soon retire after 47 years of service to Canyon County. He gave a recap of this year's budget planning process and related workshops, and reviewed the following:

- Clerk's suggested budget included several scenarios of budget presentations
- Summary of new position requests totaling \$1,458,968.09
 - Two positions for the landfill are not funded by property taxes and pay for themselves through the operations and the revenue they generate
 - County Agent 4-H coordinator position already exists, is not a County employee but the County funds most of that salary as a contribution under the "B" budget. This is a transfer for them to become a County employee.
 - The other new positions represent a more modest amount than we started with. More positions were requested but did not make it to the final round.
 - Due to concern about the state sales tax revenue flattening, the Clerk is requesting new positions not be filled until February, maybe with a minor exception or two. He wants see two quarters of sales tax revenue and if that is the case, we may have to hold off on some of the positions.
- State Sales Tax Revenue
 - We have budgeted \$18.3M to come from sales tax
- Final Amended Budgets and 2025 Proposed Budget

- Clarification of ARPA funds mostly being used to fund extraordinary capital needs. The County has used ARPA funds on some reoccurring items such as the lease on Pod 6
- Payroll budget has gone down by nearly \$3M because public defense employees will become state employees on October 1, 2024, and the County will no longer have to fund public defense.
- Property Tax Projections
 - Amount levied in 2024 was \$56,364,662.00 Levy rate: 0.001614778
 - Proposed levy amount for 2025 is \$58,864,985.00 Levy rate: 0.001557819
 - Levy rate is going down, partly because \$1.9M of the tax base is being funded by new construction

Commissioner Holton said pursuant to Idaho Code §63-802(1) (e), the Board the intends to recover \$591,748 of available forgone in the FY2025 property tax levy for ongoing maintenance and operations pursuant to Idaho Code §63-802(1) (f), the Board has elected to levy less than the maximum allowable increase for property tax and intends to reserve the right to recover in subsequent years \$13,769 of forgone for Canyon County Pest Control, and \$712 of forgone for Melba Gopher. The hearing will be held in conjunction with tonight's annual budget hearing.

Public comments were as follows:

Jo Dee Arnold thanked the Board and the Clerk for the budget process, and said she attended a lot of the workshops and found the process to be open and transparent.

Steve Burton thanked the Board for addressing issues he has brought up and for keeping the budget flat. If you remove the enterprise funds and the ARPA funds at end of FY2024 it looks like it will come in at 48% which is much better than he thought. This year the County is looking at taking out \$14M of reserve funds and applying that to FY25 and that amount of money takes it down to 36% which is a good healthy number. He thinks the Board is on a good track and said the only concern he has is that the fund balance for the landfill is \$17M, and it looks like it's going up to \$20.5M, and it was stated by COO Rast that the landfill needs to keep a reserve of \$10M in case they need to close it. It seems like we're getting a bigger number all the time and he asked the Board to try to reduce the fees so the taxpayers can see some relief. It seems we are unnecessarily building up the reserve. Commissioner Van Beek said Canyon County has some of the lowest tipping fees in the nation, and the reserve that's there is intentional. It has been 20 years since the Board has adjusted fees at the landfill. Commissioner Holton said the landfill has a 70-year life but we have to put in millions and millions of dollars and we have to save for future land acquisition. Mr. Burton supports increasing the Sheriff's budget because they need more staff

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

Commissioner Brooks said the Board has held over 60 budget workshops and has systematically gone through every budget in the County and he is in favor of approving it. Commissioner Van Beek said the Board is making every effort to provide transparency and said this is the most collaborative and transparent budget process she has participated in, and she supports the budget. Commissioner Holton said in 2020 there were 96,000 taxable lots and today there are over 106,000 taxable lots, the lion's share of which is housing, and even with all the growth, the County's budget increased just over \$400,000. He supports the budget. Commissioner Van Beek spoke about the 13 new positions in this year's budget and noted that some positions were not funded to make room for critical positions to meet the demand for service. Commissioner Holton said the public information officer is working on the budget book that will give the resources to follow the narrative through the budget process. Commissioner Van Beek said there are three capital projects that are ARPA funded: a warehouse which will save \$56,000 a year savings in lease payments; an Elections building that will quadruple space and serve as a general voting location; and the Sheriff's administration bldg. Commissioner Brooks supports the new positions being available February 3, 2025, but he wants the new Senior Chief Deputy position in the Prosecutor's Office to be available January 6, 2025. Commissioner Van Beek said she supports that as well and then she made a motion to approve the FY2025 budget as presented and to include the hiring of a Senior Chief for the Prosecutor's Office. The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Brooks made a motion to adopt a fiscal year 2025 expenditure budget for Canyon County in the amount of \$156,462,033, a fiscal year 2025 expenditure budget for the Canyon County Pest Control District in the amount of \$317,778 and a fiscal year 2025 expenditure budget for the Melba Gopher District in the amount of \$12,000. The elected officials of the County shall have salaries set forth for Fiscal Year 2025 as follows:

Commissioner	\$118,625	Coroner	\$106,098
Commissioner	\$118,625	Prosecuting Attorney	\$173,257
Commissioner	\$118,625	Sheriff	\$165,000
Assessor	\$118,526	Treasurer	\$119,875
Clerk	\$125,041		

Commissioner Van Beek seconded the motion and noted that the \$156,462,033 is inclusive of the ARPA funds. It is money receipted in and accounted for so we can spend it on the identified projects. The budget has not been increased to \$156M, it is an accounting practice to book the revenue the spend the money for the projects. The motion carried unanimously. (Resolution No. 24-156.)

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adopt the resolution concerning \$712 of forgone for the Melba Gopher and \$13,769 of forgone for Canyon County Pest Control. (Resolution No. 24-158.)

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adopt the resolution for the Canyon County Fiscal Year 2025 property tax

levy of \$58,864,985 which includes \$591,748 of available property tax forgone increase for ongoing maintenance and operation. (Resolution No. 24-157.)

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve and sign the L-2 worksheets for Canyon County, Canyon County Pest Control, and Melba Gopher.

Clerk Hogaboam said we budgeted for a reserve contingency under current expense and those are monies that can be applied over the course of the fiscal year for unanticipated emergent needs that arise by a unanimous vote by the Board on how those reserve funds get applied. Additionally, the County has collected the revenues on new houses being built but they were not in the budget previously and we were treating that as unanticipated revenue. We have budgeted a very modest amount of \$500,000 to be distributed over all the levied funds of that occupancy tax.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The hearing concluded at 6:30 p.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM
CALDWELL, IDAHO AUGUST 29, 2024

APPROVED CLAIMS

- The Board has approved claim 609037 in the amount of \$186,420.06
- The Board has approved claims 609038 to 609042 in the amount of \$465.00

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved the following employee status change forms:

- Shane Sears, Temporary Election Specialist

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for:

- Mother Earth Micro Brew to be used 9/10/24

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, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Director of Juvenile Detention Sean Brown (left at 9:34

a.m.), Health Board Trustees Martin Flores, Yvonne Baker, and Jennifer Loutzenhiser (left at 9:35 a.m.), Assessor Brian Stender (left at 9:35 a.m.), Chief Public Defender Aaron Bazzoli (left at 9:47 a.m.), Assistant Public Defender Scott James (left at 9:47 a.m.), Public Defender Erik Ellis (left at 9:47 a.m.), COO Greg Rast, Realtor Norm Brown, DSD Office Manager Jennifer Almeida (arrived at 9:44 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Memorandum of Agreement for Juvenile Detention Housing with Baker County, Oregon: Director Brown said this is the 2nd year for this agreement and that it is similar to the one with Malheur County. Pricing is the same as other housing agreements at \$235/day. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the memorandum of agreement for juvenile detention housing with Baker County, Oregon (agreement no. 24-090).

Consider a Resolution Appointing a Successor Trustee to the Board of Health Trustees: Joe Cox has resigned from the Board and the Assessor's Office has nominated Jennifer Loutzenhiser as the successor. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution appointing a successor trustee to the Board of Health Trustees (resolution no. 24-159).

Consider a Resolution Appointing Erik Ellis as the Interim Chief Public Defender: Mr. Bazzoli introduced Mr. Ellis to the Board and provided a brief overview of his work history. Mr. Bazzoli has resigned as the Chief Public Defender and Mr. Ellis will assume the position in the interim until public defense is taken over by the state on October 1st. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution appointing Erik Ellis as the interim Chief Public Defender (resolution no. 24-160).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:48 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (c), (d) and (f) regarding personnel matters, acquisition of an interest in real property, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Deputy P.A. Zach Wesley, Deputy P.A. Oscar Klaas and realtor Norm Brown. Mr. Brown left the executive session at 10:14 a.m. The Executive Session concluded at 10:27 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.

SIGN CLOSING DOCUMENTS FOR PROPERTIES LOCATED ON CHICAGO STREET AND DENVER STREET IN CALDWELL, IDAHO

The Board met today at 10:30 a.m. to sign closing documents for properties located on Chicago Street and Denver Street in Caldwell, ID. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, COO Greg Rast, Realtor Norm Brown, Vicki Hunsperger with Pioneer Title and Deputy Clerk Jenen Ross.

The closing documents were presented to the Board by Ms. Hunsperger with Pioneer Title. The Board recessed the meeting at 10:31 a.m. in order to sign the paperwork. At 11:58 a.m. the Board went back on the record where Commissioner Holton made a motion to sign all necessary documents for the transfer and purchase of property to the county. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 11:59 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER A RESOLUTION OF APPOINTMENT TO THE OFFICE OF THE CANYON COUNTY TREASURER

The Board met today at 11:00 a.m. to consider a resolution of appointment to the Office of the Canyon County Treasurer. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Deputy PA Zach Wesley, Treasurer Tracie Lloyd, Chief Deputy Treasurer Jennifer Watters, Commercial Property Appraiser Supervisor Greg Himes, Assessor Brian Stender, DSD Director Sabrina Minshall, DSD Planning Supervisor Carl Anderson, DSD Office Manager Jennifer Almeida, Accounting Supervisor Sarah Winslow, Controller Kyle Wilmott, Ken Watters, other interested citizens, and Deputy Clerk Monica Reeves. On August 28, 2024 the Board interviewed two candidates in Executive Session and today they will deliberate and make a choice between Carol Mitchell and Jennifer Watters. Commissioner Brooks said both candidates interviewed well and have decades of experience but he cannot get beyond the 27 years of experience Jennifer Watters has working in the Canyon County Treasurer's Office having been a deputy treasurer and chief deputy treasurer. Commissioner Van Beek said both candidates have been involved in financial transactions for a number of years and both are very qualified but she supports the Republican Central Committee's recommendation of Jennifer Watters, who has been mentored by Treasurer Tracie Lloyd. Commissioner Brooks made a motion to approve the resolution appointing Jennifer Watters to the Office of the Canyon County Treasurer to be elected in a forthcoming election. The motion was seconded by Commissioner Van Beek. Commissioner Holton said we are fortunate to have two good candidates to choose from. The motion carried unanimously. The meeting concluded at 11:08 a.m. An audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 11:13 a.m. for a meeting to review DSD general business. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Director Sabrina Minshall, DSD Office Manager Jennifer Almeida, DSD Planning Supervisor Carl Anderson, DSD Assistant Director Jay Gibbons, Controller Kyle Wilmot, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. Topics of discussion at today's meeting were as follows:

- Comprehensive plan
 - Getting a scope, schedule, and budget, and what parts are going to be in that to work on it next calendar year.
 - Have draft ordinances ready to go into the public process.
- Code enforcement penalties and consistencies
- Compliance with the Agricultural Preservation Act
- Provide operational updates
- International Fire Code and Building Department

At the end of the year there will be a clear comprehensive plan update approach with the scope and timelines firm, including how to comply with new legislations as well as what does the engagement look like through 2025. Commissioner Van Beek would rather say the comp plan is a dynamic document that will be reviewed as needed to make updates rather than having it be hard and fast with a timeline of 10 years.

Commissioner Holton said compliance with the state Agricultural Preservation Plan Act is at the bottom of the list of his priorities. Canyon County is pro-agriculture and this was a legislative act that was a shotgun across the state and we are already living that in a higher level than most. It needs to get done, but not at the expense of the other items above that. He wants it at the bottom of the list of deliverables. Director Minshall will do that, and she will add compliance with the area of impact legislation to the bottom of the list as well. Staff is making a policy for Canyon County and will review the state laws for compliance but their goal is to do good policy.

On August 22, 2024, there was a deep dive into the DSD fee schedule. There was a lot of information and staff intended to respond to what the Board wanted which was to capture the time spent on development applications that were related to someone's property and their intent to have that cover those fees and have the general fund cover the fees of things that were community based, such as long range planning and code enforcement. Director Minshall requested the follow-up meeting on the DSD fee schedule occur next Thursday.

On August 27, 2024, there was a discussion about the general approach to the comp plan, and they distributed maps for analysis, and as we get through map discussions and come back to fee updates we will look at what does it mean for agriculture? What is agricultural preservation for Canyon County? How do we balance that with private property rights? What does growth start to look like? How does the APA play/not play into this conversation? They will give examples of

implications, what does it mean around administrative land divisions, nonviable agricultural splits, relocation of building permits. Commissioner Holton is uncomfortable with the APA being listed as a top priority and he spoke about how Canyon County is further along than other counties in that regard. Director Minshall offered to remove it and said as we talk about what does agriculture mean, and what does preservation mean to the County we have to think about what that looks like for the state law. She put it on the list so she could share information with the Board including the upcoming draft legislation from the Idaho Association of Counties that's expected to come on the base ordinance. There are big implications for how we proceed, and we want to be eyes wide open on it and sharing information along the way. Commissioner Van Beek doesn't want to move it, she wants to move forward, and she wants things listed in the order they will be tackled. Commissioner Brooks said he is okay with keeping it there for discussion and observation and waiting to see what IAC comes up. He is distracted with the wholesale removal of certain classifications from one plan to the next. Director Minshall will leave it on the list and remove the word *Direction*, so people do not perceive we are ready to do an ordinance right away. There is room to be in compliance but we don't have to jump in and take applications. We have the time to go through comp plan updates and fit it for ourselves. Commissioner Holton wants it further down the list and marked as a discussion item.

There was a review of a diagram showing a simplified version of how we are approaching the comprehensive plan update.

- What is staff doing in terms of functionality and a new base document?
- How do we plug it in as we get to the policies and tough topics?

There was a review of various maps, copies of which are on file with this day's minute entry.

- Density map showing acreages ranging in size from 1 acre to greater than 21 acres
 - Darker areas in/around cities illustrate highest density; it might also illustrate that these size parcels could potentially stand in the way of city expansion.
 - Staff is looking at and discussing what is truly agriculture versus what is rural living?
 - Where are we seeing compatibility issues?

Commissioner Holton said the Board is being pressured about preserving pristine agricultural ground and as he sees it, the only pristine areas are in some respects around the Pickle Butte and Dry Lake area. The rest of the County is one significant hodge podge of small parcels either for residential or cutaway from agriculture for a different use setting themselves up to be able to be sold outside an agricultural use. It isn't one big pristine area that the 2030 plan illustrates. How do we work towards what the public gave input towards and yet deal with the reality? Commissioner Van Beek said a farmer sectioning off a portion to build a house so they can continue to farm is a different story than a subdivision approval. Director Minshall said it could be both stories and that's why they prepared a series of maps. It could be actual subdivisions subdivided at 1-5 acre lots. We have to look at a lot of changing policy decisions over time, and we will talk about options and solutions, it's all about compatibility and buffering but we want to first make sure we know what's there. The discussion will continue next week. Commissioner Brooks said what sticks out to him is the darker blue areas outside of the impact areas in

correlation to questions about what agriculture versus rural living is and there needs to be more discussion on that topic.

There were other maps presented at today's meeting that will be discussed in the future:

- Map showing agricultural exempt and public properties
- Residential (2020 comp plan) map
- Canyon County Comprehensive Plan 2030 and Current Zoning
- Canyon County Comprehensive Plan 2011-0222 and Current Zoning

The meeting concluded at 11:57 a.m. An audio recording is on file in the Commissioners' Office.

AUGUST 2024 TERM

CALDWELL, IDAHO AUGUST 30, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Mideo Systems, Inc., in the amount of \$74,998.56 for the Sheriff's Office (PO #6076)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved the following employee status change forms:

- Scott Wells, Juvenile Detention Officer - Moving to part-time on-call
- Greg Rast, Chief Operating Officer - Addition of Specialty Pay (Interim CIO, IT Chief Deputy, and Sheriff's 911)

THE MINUTES OF THE FISCAL TERM OF AUGUST 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 16th day of November, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS



Commissioner Leslie Van Beek



Commissioner Brad Holton



Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK By:  Deputy Clerk

SWEARING-IN CEREMONY OF CANYON COUNTY TREASURER JENNIFER WATTERS

The Board attended the swearing-in ceremony of Canyon County Treasurer Jennifer Watters this morning. Treasurer Lloyd was sworn in this morning at 8:15 a.m. by Clerk Rick Hogaboam in Courtroom #140, of the Canyon County Courthouse. Although the Board attended the ceremony, there was no Board action taken.

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- CDW-G in the amount of \$9,914.64 for the Information Technology Department (PO #6080)

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- County Line Wine Co. to be used on 10/26/24 at the Venue at Wood Farms for the Weitz Wedding
- County Line Wine Co. to be used on 9/22/24 at Deer Flat Ranch for the Mariana Wedding

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, Brad Holton and Zach Brooks Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas, Deputy P.A. Trent McRae, Landfill Director David Loper (left at 9:42 a.m.), Director of Constituent Services Aaron Williams, COO Greg Rast, HR Director Marty Danner (arrived at 9:33 a.m. and left at 9:51 a.m.), Assistant DSD Director Jay Gibbons (arrived at 9:39 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider RE-T Broker Agreement Addendum: This addendum extends the agreement with Norm Brown as a broker for the county. Legal has reviewed the addendum and has no issue. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the RE-T agreement addendum (see agreement no. 24-091).

Consider Resolution to Waive Landfill Fees for One Canyon County Nuisance Property: Director Loper has been working with DSD on this property which has been a nuisance property for quite some time. The property recently sold and the new owner is now working to get it cleaned up and brought into compliance. Director Loper indicated that due to the size of the property at 10-acres,

the landfill fee waiver will be in place for one month starting October 1, 2024. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution to waive landfill fees for one Canyon County nuisance property located at 17493 Goodson Rd, Caldwell. (resolution no. 24-163).

Consider Resolution Classifying Records of the Canyon County Prosecuting Attorney's Office and Authorizing the Destruction of Certain Criminal Case Files/Records: This is a standard resolution for destruction of certain files/records. The determination of files to be destroyed is at the discretion of the PA's Office based on record retention guidelines. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution classifying records of the Canyon County Prosecuting Attorney's Office and authorizing the destruction of certain criminal case files/record (see resolution no. 24-162).

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:45 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, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas, Deputy P.A. Trent McRae, COO Greg Rast and HR Director Marty Danner (left at 9:51 a.m.). The Executive Session concluded at 10:18 a.m. with no decision being called for in open session.

The meeting concluded at 10:18 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 10:21 a.m. for a DSD general business meeting. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assistant DSD Director Jay Gibbons, Director of Constituent Services Aaron Williams, COO Greg Rast and Deputy Clerk Jenen Ross. Mr. Gibbons spoke to the Board on the following:

- A revised acreage map was provided to the Board which depicts various parcel sizes.
- A Comprehensive Plan 2030 and Current Zoning map was provided to the Board with a revised legend which is easier to read. Discussion ensued regarding the stars on this map which represent a comparison of the 2020 and 2030 comprehensive plan maps showing the active conditional rezones and straight rezone cases. The Board expressed their frustration with the 2030 comprehensive plan.

- In a previous meeting there was discussion regarding agriculturally exempt areas which a large portion of the county receives. At a future meeting DSD hopes to have the Assessor's Office attend to provide additional information on how this is determined.
- Commissioner Holton noted for the record that 97% or greater of all new developments are within municipalities, they are not out in the general county which he feels should be the way it is considering the stringent requirements placed on environmental issues.
- Mr. Gibbons spoke to the benefit of the mapping tool in being able to look graphically at the fabric of the county/community, determine appropriateness and guide decisions and policies.
- In response to a question from Commissioner Van Beek, Mr. Gibbons spoke about how DSD will interface with COMPASS and city partners in regard to development of new roadways.
- Commissioner Van Beek asked about City of Nampa enclaves. Mr. Gibbons said he did not necessarily see that there is an "ag district". There needs to be a cooperative effort between the cities and the county in understating each other's definitions.
- Commissioner Holton spoke about the lack of main arterials in the valley and that there has been no long-range planning for main arterials.

The meeting concluded at 10:56 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: APPEAL BY SAMUEL PARRY, REPRESENTING CLEON AND PATTI HOAGLAND, REGARDING THE DENIAL OF AD2023-0110 FOR A NON-VIABLE PARCEL LAND DIVISION

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of an appeal by Samuel Parry, representing Cleon and Patti Hoagland regarding the denial of Case No. AD2023-0110, a non-viable parcel land division. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Dan Lister, DSD Director Sabrina Minshall; In Favor: Samuel Parry, Allison Hoagland, Darren Hoagland, Patti Hoagland, Jeff Hoagland, Kenny Hoagland, Daniel Temple, Mark Hoagland, Brandon Hoagland, Cleon Hoagland, Delores Hoagland; In Opposition: Kathy Alder, Joshua Alder, Norm Alder, Randy Holloway, and Judy Holloway, and Deputy Clerk Monica Reeves.

DSD Principal Planner Dan Lister gave the oral staff report. Samuel Parry, representing Cleon and Patti Hoagland, requests an appeal regarding the denial of AD2023-0110 for a non-viable parcel land division of R28146010, R28146010D, and R28279010, approximately 70 acres. The appellant requests the Board approve the appeal. The affected properties are adjacent to 746 and 1055 Southside Boulevard in Melba. The parcels are zoned "A" (Agricultural). The 2030 Canyon County Comprehensive Plan designates the future land use as "agriculture". Parcel R28146010 was created via an Administrative Land Division creating Parcels R28146011 and R28146010 (AD2021-0016). The parcel was then adjusted to its current configuration in 2021. Parcel R28146010D was created as an agricultural-only parcel in 2021. According to PI2021-0220, Parcel R28279010 was

created via the land division process in 1980. The parcel has a building permit available. On October 6, 2023, the property owners, Cleon and Patti Hoagland, submitted an administrative land division application for non-viable parcels in the “A” Zone to divide the subject parcels into eight buildable parcels. The application was updated on February 23, 2024, to adjust the proposed parcel boundaries and include a private road name. On May 6, 2024, after considering all evidence provided by the applicant and letters received by neighbors, Case No. AD2023-0110 was denied by the Director of DSD for the following reasons: Per CCCO §07-02-03, viable farmland is defined as *“Land that is capable of producing marketable farm animals or crops”*. Information provided by the applicant, aerials, and letters of opposition demonstrate the subject properties consist of land capable of producing marketable farm animals and/or crops. The County Assessor’s Office states the parcels have ag-exemptions. Upon conversation with the Assessor’s Office, the applicant has benefited from the ag-exemptions for over 20 years. Irrigation water rights exist for the subject parcel. The parcels appear to be irrigated with sprinklers and a wheel-line. Slopes are predominantly between 0-3% except in certain areas of Parcel R28146010D where slopes can be 6-9%. Any lot size/configuration issues stated by the applicant were created by the applicant via land divisions. Parcel R28146010D is an agricultural-only parcel requested by the property owner (AD2021-0185). Per CCCO §07-17-03(3), an agriculture parcel is described as a parcel *used exclusively for agricultural purposes (on which there is no permanent dwelling)*. The letter of intent states the 5.93 to 11.81-acre lot sizes will allow forage production and grazing. The letter implies portions of the subject parcels are viable. Letters of opposition received demonstrate the parcels contain viable, profitable, agricultural uses and have been in active agricultural production since 1974. There is not enough evidence demonstrating the development will not be impactful to surrounding agricultural uses. The applicant does not propose any buffers, building envelopes, or other mitigating conditions to ensure residential development created by the request will not impact surrounding agricultural production. The following options were provided to the applicant:

- Reapply for an Administrative Division of a Nonviable Parcel in an Agricultural Zone (CCCO §07-18-05 & 09) and provide information demonstrating what portions of the subject parcels are non-viable, what portions are still viable and what measures will be taken to ensure viable ground will be protected.
- Conditional rezone to an “R-R” (Rural Residential) zone with development agreement conditions limiting lot sizes to five acres or larger. The 2030 Comprehensive Plan allows five-acre lot sizes within the agricultural designation.
- Comprehensive Plan Amendment to the rural residential designation and Conditional Rezone to an “R-R” (Rural Residential, two-acre lot sizes).

On May 21, 2024, Samuel Parry, representing Cleon and Patti Hoagland, submitted an appeal to overturn the decision regarding AD2023-0110 finding the request meets the required standards, adequate evidence regarding productive agricultural constraints and resource issues was submitted, and that the decision was based on irrelevant facts such as tax exemption status, aerials and neighborhood comments. Planner Lister reviewed the comments received from property owners and agencies. The subject parcels, over 70 acres, consist of land that produces marketable

animals and crops and has done so for over 20 years. The issue regarding the owner/operator not being able to make a profit from the marketable production of animals and crops is not a factor that can be reviewed based on the applicable code. Staff recommends the Board deny the appeal upholding the Director of DSD's decision.

The following people testified in support of the appeal:

Planner Lister stated that Samuel Parry submitted a PowerPoint presentation as a late exhibit and it was not part of the staff report. Mr. Parry said the presentation does not contain new information, it's strictly illustrative and outlines what is contained in his appeal letter. He also said he did not receive notice that he would not be able to submit a PowerPoint. It is the Board's policy not to accept late exhibits.

Samuel Parry testified that he was raised in Canyon County and has a bachelor's degree in animal science and a master's degree in agricultural economics and he received his juris doctorate from the University of Idaho. Half of his practice is preserving farmland through private conservation practices. The subject property is not good farm ground. It is anyone's guess why the relevant language from the ordinance was not applied in the Director's decision. Section 07-18-09 (5)(c) states the parcel, in whole or in part, in order to be approved for this application shall consist of land with site constraints and/or resources issues such as lack of water, suitable soils, topography, land compatibility, lot size, or configuration that makes productive agriculture use extremely difficult. That sentence is not anywhere in the decision or the staff report. Section 07-18-09 gives the definition of viable farmland as land that is capable of producing marketable farm, animals, or crops; however, the nonviable ordinance does not reference that section of the code or use the term viable farmland. The Hoaglands only need to show that part of the land is nonviable in order to be approved for this request. Nevertheless, the whole property is not viable. They also have to show site constraints or resource issues or both. Productive agriculture describes commercial level, not hobby level agriculture. Productive is defined as exceeding or producing a significant amount or result, or producing or able to produce large amounts of goods, crops, or other commodities. Productivity is inherently an economic metric; it measures the changes in output based on changes on input, more specifically the measurement of productive agriculture is the quantity of outputs for a given quantity of inputs and this code targets productive agriculture. The Hoaglands do not have to show that productive agriculture is impossible. They have to show it's extremely difficult. Mr. Parry said Cleon Hoagland had testified about the rocky, shallow soil, rock piles, visible exposed rocks, damaged farm equipment, and low yields. He tried to make the land viable for 60 years; his parents worked off the farm to finance farming efforts to no avail. The parcels are not weird shaped because of the parcel division that took place in 2021. The parcels in the center have been divided for decades and Mr. Hoagland has been trying to farm and finagle the irrigation around those for decades. The parcel division made one line between the north and central parcels. Prior owners sold the ground because it was not productive. Mr. Parry referred to his letter which outlines the testimony and evidence about the character of the ground. He noted that Jerry Neufeld, who was the crop extension agent for Canyon County for 23 years and he prepared a full report on his findings for the property. There is a significant amount of evidence that this is nonviable, and that production agriculture is extremely difficult. The soils are not very

deep and significantly eroded, shallow rocky soils, visible rocks, rock piles reflecting attempts to remove rock and make the land more suitable. The property contains significant acres of Class IV soils. Yields for forage crops are less than half the county average, 3.7 tons per acre compared to 7.5 tons per acre. Productive agriculture on the Hoagland property is extremely difficult and nonviable to agriculture due to site constraints and resource issues that make productive agriculture extremely difficult. Mr. Parry said the Director's decision failed to apply the relative standard and it ignored all the evidence in support of the application. The decision did not summarize Mr. Neufeld's letter like it did all the opposition letters, nor did it summarize the letter from Lamar Harris. The Director's decision substituted the knowledge of people on the ground and the 23-year ag extension educator for their own apparent knowledge of agriculture.

Darren Hoagland testified about his agricultural educational degrees and experience including being hired as a general manager of a 30,000-head feedlot and as the beef on dairy specialist. He sees a lot of production agriculture as well as large agriculture and small agriculture and has tried to bring a lot of those ideas back to help his father and grandfather with their properties but it's just not viable. The ground is rocky and does not hold the water, it's not productive or viable ground. He believes people should be able to do what they want to with their property as long as it's legal and lawful.

Commissioner Van Beek asked staff to address the administrative divisions and boundary adjustments that have occurred on the property. It was stated that a division was done in 2021 to allow an amendment to two of the buildable lots and moving a buildable lot to a certain section while keeping one legal through the agricultural only process. It made it a legal parcel.

Kenny Hoagland testified that he started farming 1985 and sold out due to his own rocky property because he couldn't make a living and he went into fulltime law enforcement. He serves as an EMT and firefighter and said despite all the growth in Melba there hasn't been an increase in farming implement accidents or regular vehicles accidents. Mr. Hoagland testified that a subdivision was approved on land near South Powerline Road that was farmed a year before it was sold and that ground didn't have rocks. He also spoke about driveway inspections he conducts which are on properties that used to be farmland.

Daniel Temple testified that he struggles with his rocky, lava debris soil and after realizing it would take a tremendous amount of work and money to make it a pasture, he put it off until he has more money. In this case he sees the Hoaglands trying to make a living off of their marginal land with old equipment and if they were to sell it, it would be a hobby farm at most because of the rock outcroppings and poor drainage. This is not an income property, it is marginal ground and the farmer should have the ability to access his assets so she does not lose his property.

Mark Hoagland testified that he bought the farm in 1959 from his cousin who was working at a lumberyard to make a living. Mr. Hoagland did custom farming with his father and eventually began teaching school. They tried row cropping sugar beets, potatoes, and sweet corn, but none were successful in the yields because the ground is rocky. He does not believe the Hoaglands proposal will impact the neighbors because there are already residences in the area.

Brandon Hoagland testified that he has a bachelor's degree in animal science with a minor in agronomy and ag systems. He grew up on this farm and spent time picking rocks and he wants to operate a farm and ranch, but said this property is nonviable farmland that has extremely difficult resource constraints against it with shallow soils and hot temperatures that do not allow crops to yield to their full production with the increase in the production costs. He has managed large expanses of land in Nevada from millions of acres in rangelands to thousands of acres in farmland and he knows this is not a piece of land he could raise a family on without a supplemental income.

Cleon Hoagland testified that his great grandfather homesteaded in Melba. He has farmed for 62 years and watched his family members struggle with the land and he said those who oppose his request have never been on/worked his farm ground nor do they have any idea of the hardships his family has gone through to keep the ground green. The neighbors who adjoin his property do not oppose his request, only those who are almost 600 feet away oppose what he is trying to do. He reached out to Jerry Neufeld, the former extension agent for Canyon County, who created a report about his property, but said DSD staff only looked at Google Earth and the comments from neighbors who have not been on his property. Mr. Hoagland believes he is being punished and said neighbors around him have stopped farming and have been allowed to develop their ground but he is not allowed to develop his. Regarding the 2021 decision, Mr. Hoagland said he has never heard of it and was never asked to appeal it. He made a boundary line adjustment because there was a north and south section; he did not ask for a farm-only parcel. When that piece was sub-irrigated it was three small fields, not one. He spoke about the struggles to irrigate the property.

DSD Planner Lister said the outcome of the 2021 property boundary adjustment was adjusting the lines between the properties. It was split, not per code at the time, and it had separate lots and Mr. Hoagland fixed those lines and it was decided that if they call it agriculture only and keep it as agriculture then it would be a legal lot but there were no building permits associated with it. Commissioner Brooks said the decision was not to create another parcel; it unmerged two parcels. Planner Lister does not recall what the configuration was that required the action to be taken. Mr. Hoagland said it was never his decision it was staff's decision. It was always two separate sections; there was a north section and a south section and both were owned by his father.

The following people testified in opposition to the request:

Kathy Alder testified that her family has farmed in the area for many years and said the area has moderately suited soils and viable farm ground. If you are able to produce marketable farm, animals or crops it is considered viable farmland. This land has been farmed since 1915. She said the Hoaglands rented 33 acres from the LDS Church for 20-25 years and nobody forced them to rent it and when the church decided to sell the land, it was a private sale and the Hoaglands bought the land for under \$300,000 and they immediately put it on the market at a high price. They later pulled it and then put it on the market for \$1.5M and in their sales documents from 2022 they called it prime crop land with water rights. Mrs. Alder said probably isn't prime farm ground, but it is moderately suited but it can be worked made into successful farm ground. She said there are a number of people who have farmed it prior to the Hoaglands and it has been productive ground.

She said most people have to have two incomes to function in today's society. When Mr. Neufeld and Mr. Parry have said the land is not viable, but they have not farmed in the area. The Alders have spent a lot of time picking rock and building up their farm to make it better and this land is no different. She said the land is correctly zoned as agriculture.

Joshua Alder testified that he is a fourth-generation farmer who farms in the Melba area and he has a bachelor's degree in agronomy and a minor in soils. The ground is rocky, but with topsoil covering the rocks it can be productive. He said there are a lot of things that can be done with less tillage that makes the land more viable and the organic matter in the soil that makes it productive.

Norm Alder testified that he was born in the late 1940's across from the subject property and he watched it when it was in gravity irrigation and raised productive crops. He's been on the ground with his farm equipment and said it has a rock outcropping which is common in Melba with the lava flows. He has put dirt over the top of rocks so he can farm; he dug potatoes for the Hoaglands several years ago and said what is being produced there has nothing to do with the ground itself. He believes the land is productive.

Rebuttal testimony was offered by Samuel Parry who addressed the ag-only issue and said it does not preclude approval of this request. This is a subsequent approval, there is no deed restriction. He said Mr. Hoagland did not negotiate ag-only and has no idea how that became a condition of approval. Perhaps there could have been an appeal, but it was certainly not requested by Mr. Hoagland. There was a development at Southside and Butte that relied on an ag exemption and their ground is much better than the subject property. The Hoaglands are watching people develop their ground all over Melba; there have been 50 new houses to the south in the last 5 years. They provided a lot of evidence but staff did not look at what the irrigation was. The Hoaglands have been trying things for 50 years (dairy, cattle, row crop) and they lost a corn contract and sugar beet contract due to yields and lack of water. Mr. Parry said the analysis was not done on the code language regarding the lack of water, suitable soils, topography, land compatibility, lot size, or configuration that makes productive agriculture use extremely difficult. The irrigation water is not determinative of this application. The fact there might be 20 psi coming to the northeast corner doesn't mean it's viable for productive agriculture. You cannot say economics is not an important part of this question. The Hoaglands have provided a lot of evidence of agronomic factors that make production agriculture extremely difficult. This is not a referendum on development of ag land, this is strict application of the plain language of the code so that residents can plan and not get caught up in the technicalities. When asked if the division will create a negative impact to surrounding ag uses, Mr. Parry said an EMT and firefighter in the Melba Rural Fire District, Kenny Hoagland testified that he has not noticed any increases in agricultural accidents or other traffic incidences in the last 10 years from any of the growth and he doesn't anticipate seeing that. They also consulted with the highway district to design the private road placement in the north section and they did not note any issues or concerns. If the Board is worried about building envelopes or setbacks you can impose setbacks.

Director Minshall clarified the administrative splits discussion of what the previous applications were and were not. There were two administrative land divisions done in 2021; the properties

were split in 1989 and were configured in a way that did not go through the county process. The first application in 2021 was to address that configuration and get it back into compliance. The third parcel at the time was only a railroad right-of-way and wasn't any sort of buildable parcel. It was amended the same year in a second administrative land division that kept three parcels. The ability to take the building permit and put it on the parcel that could be usable created the new configuration so and the way to do that was to keep one as an ag-only parcel to still stay in compliance with the code. The applicant had to be aware of that because the survey after an administrative land division is done they get the survey done to match that. The survey was done after the fact to show that as a non-buildable agriculture-only parcel, but it still was three parcels. She thinks what the applicant is explaining in terms of the configuration to try to adjust around building permits is an accurate representation and that's what we ended up with at the end was the configuration that Planner Dan Lister showed. In response to questions from Commissioner Van Beek, Planner Lister reviewed the property history. Regarding the subdivision that was referenced, that was an administrative land division for a nonviable, but there were some distinctions to that property: the parcel had not been farmed for many years and so through viewer visuals and aerials on site and pictures provided by the applicant in that case showed it had not been farmed for many years. They proposed clustering of structures and conditions on permitting and building process to keep the parts they might be able to make viable. We do not have a definition of economically viable in our code so we are basing it on just the language of the definitions in the code.

The Board took a recess from 3:06 p.m. to 3:12 p.m.

Commissioner Van Beek said she is in awe of the amount of educated and informed farmers on both sides of this issue. When looking at the inclusion or exclusion of economically viable ground we cannot include it in one and exclude it from another. There is a convoluted history on this property and she wants more time to look at the reasoning of the 2021 decision to merge the parcels and she wants more time to evaluate this. The applicant has said he has no knowledge of that 2021 decision and that is concerning. There is no application for a building process out there, and it feels like there is more information to the story. She doesn't want repetitive testimony but she wants to leave testimony open on either side due to history of the parcels. Commissioner Brooks is uncomfortable with that because that information is not necessary to issue a decision. Commissioner Holton said whether the lot was buildable or transferred its building rights to another parcel is interesting but it is outside of what their appeal is for. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony.

Commissioner Brooks said the appeal underscores last week's discussion on agriculture. All agriculture is not the same. Viable ag definition is land that is capable of producing marketable farm animals or crops, but he is frustrated by the broad definition. There was testimony that in order to make much of the land in this area viable, topsoil needs to be brought in, but said nobody would determine Craters of the Moon to be viable and nobody would determine that we should bring in truckloads of dirt so we can farm it. If you have to bring dirt in to make it farmable that doesn't make it viable.

There was Board discussion about how decisions have to be based on the code that is in place, and how the definition of nonviable is vague. Director Minshall said in both the 2020 comp plan and the 2030 comp plan, this area is agriculture. That's a follow-up policy conversation that needs to be had on why we haven't proposed to update this section of code yet because it depends on what we are trying to achieve. If we are saying these areas are better suited for other types of development the right place for that resides in the comp plan maps. Those are other processes outside of the nonviable process - the nonviable code itself is vague but part of its vagueness is because it's a one-off from the comp plan and rezone process. In the 2020 and 2030 comp plans there were many terms that were defined but didn't get followed up with a zoning ordinance.

Commissioner Van Beek had questions for staff regarding a subdivision in the area that was approved in 2022. Director Minshall said there were substantial differences between the applications and it was a different type of location which is part of the challenge of why nonviable at all is a challenging part of the code. There has been consistent comp plan designations and what we've seen in similar areas is a comp plan amendment and a true subdivision application; the difference here is it's through the administrative land division part in the code only under nonviable. Commissioner Van Beek said the Hoaglands have an outlined process by the Director that they could go through that's not an administrative land division process. Commissioner Holton said they could do what they are trying to do and pull out portions that are still viable. The issue he sees is they have declared the whole thing un-valuable farming-wise, and although he understands their argument he doesn't have ordinances that he can defend. They could reapply as an administrative division on nonviable parcels if they included some viable parcels for farming and in his opinion, we would have leeway to move forward. Commissioner Van Beek said we need to look at updates to ordinances and the comp plan because it's not right to include a definition in one and exclude it from another so you cannot use the argument that prime farm ground is economically viable and exclude that statement from an argument that it's not. Commissioner Brooks said he will use Exhibit J of Exhibit No. 5-107 for his criteria. He has enough evidence to consider upholding the appeal. It can be used as justification for the quality of productivity of ground. He said evidence was presented that someone in the emergency medical community has not seen an increase in farm equipment accidents or various forms of negative interactions with the public. Commissioner Holton said traffic congestion is only one component of farming and there are other impacts to consider such as what if a new owner plants crops that interfere with seed crops? He has not heard the applicant demonstrate that there will not be impact on agriculture. Commissioner Van Beek said she wants to deliberate the road users maintenance agreement that was included. If a county subdivision is approved and variances are put in that later become incorporated into a city, she doesn't know if we have enough information on the variance that says it can't be any less than 28 feet. It doesn't mean people cannot ask for further divisions. She understands what the Hoaglands are trying to do but it represents a big change. Commissioner Holton said the original parcel has been divided multiple times and had a nonconforming division that had to get rectified and so they have divided it multiple times and the County has been very responsive for continual divisions on the land but the applicants may have failed to produce an application that can be defended. There was discussion about possibly continuing the hearing, and further discussion about what Director Minshall said the applicants

could do such as show the parts that are nonviable and how the rest is protected. Staff has said they are not getting enough information to show as a whole this is nonviable and that is why they suggested showing the pieces that are nonviable. Staff has tried to get the applicant to submit additional information but they did not want to. Director Minshall said the applicants are discussing the economic viability of it and whether it's farmable or not so that may not be a connection for the applicant as an option. Commissioner Van Beek said the applicant should continue to work with DSD and provide the information that would have a potential path forward such as demonstrating where there are areas they could mitigate or minimize the impact, and they have to know how to manage weeds. This is an unexplored avenue that could be a win for the Hoaglands and the surrounding farmers. Commissioner Holton agrees and said he feels totally unqualified to arbitrarily place building envelopes. Commissioner Van Beek made a motion to uphold the staff recommendation and deny the appeal on Case No. AD2023-0110-APL as recommended by staff. The motion was seconded by Commissioner Brooks. Commissioners Holton and Van Beek voted in support of the motion to deny the appeal. Commissioner Brooks was opposed to the motion to deny. The motion carried by a two-to-one split vote. Commissioner Holton said there was discussion about what the applicant could do to come back with an application that would closely meet the criteria to make it passable. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to sign the FCO's. The hearing concluded at 4:13 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2024 TERM CALDWELL, IDAHO SEPTEMBER 4, 2024

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Dura Trac Flooring in the amount of \$15,000 for the County Fair (PO #5547)

APPROVED CLAIMS

- The Board has approved claims 609044 to 609083 in the amount of \$38,466.24
- The Board has approved claims 609084 to 609122 in the amount of \$255,099.00
- The Board has approved claims 609161 to 609182 in the amount of \$17,658.00
- The Board has approved claim 609365 ADV in the amount of \$15,000.00

APPROVED SEPTEMBER 6, 2024 PAYROLL

- The Board approved the September 6, 2024 payroll in the amount of \$2,340,069.05

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- The Swanky Saloon to be used on 10/6/24 for a flower picking at the farm event

- The Swanky Saloon to be used on 9/15/24 for a flower picking at the farm event
- The Swanky Saloon to be used on 9/8/24 for a flower picking at the farm event

MEETING TO CONSIDER TAXING DISTRICTS EXTENSION REQUESTS

The Board met today at 9:34 a.m. to consider taxing districts extensions requests. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Sr. Systems Analyst Steve Onofrei, Accounting Supervisor Sarah Winslow, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Onofrei explained that 9 of the 64 taxing districts in Canyon County have submitted letters requesting extensions. This year the majority of the requests are from school districts. If the Board chooses to approve the resolution and requests, the taxing districts will have until September 16th to submit the required information. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution granting the taxing districts extension requests (resolution no. 24-164). The meeting concluded at 9:39 a.m. and an audio recording is on file in the Commissioners' Office.

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

The Board met today at 10:01 a.m. with the interim IT Director to discuss general issues, set policy, and give direction. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, IT Project Manager Shawn Adamson, IT Operations Manager Jairo Rodriguez, IT Business Manager Caiti Pendell, COO/Interim CIO Greg Rast, and Deputy Clerk Jenen Ross.

A PowerPoint presentation was provided to the Board and reviewed as follows:

- Alignment of 'like' positions between Canyon County Information Technology and CCSO Emergency Technical Services
- Overview of work done by the Development Team and applications/programs
- Brief review of past projects broken down by team efforts, development efforts, GIS, OnBase and web infrastructure
- Brief review of future projects broken down by team efforts, development efforts, GIS, OnBase and web infrastructure
- Operations Team (CCIT/ETS)
 - Operational Focus (top 6)
 - ETS Focus (top 5)

Discussion ensued regarding procurement and asset tagging/tracking. A copy of the PowerPoint reviewed is on file with this day's minutes.

The meeting concluded at 10:59 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER THE FINAL PLAT FOR BURRIS RANCH ESTATES SUBDIVISION, CASE NO. SD2022-0058

The Board met today at 11:17 a.m. to consider the final plat for Burris Ranch Estates Subdivision, Case no. SD2022-0058. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, DSD Director Sabrina Minshall, Assistant Director of DSD Jay Gibbons, Indigent Services Case Manager Kellie George, COO Greg Rast, Representatives for Burris Ranch Estates, and Deputy Clerk Jenen Ross.

Mr. Gibbons said that staff and consultant engineers have reviewed the final plat which is in conformance with the 12 conditions that were set at the preliminary plat as exhibited in the staff report. The representative from Burris Ranch Estates expressed his appreciation of the help provided by Director Minshall and Assistant Director Gibbons; he also expressed his frustration with Black Canyon Irrigation District. Further discussion ensued regarding the concerns and frustrations with the irrigation district.

Commissioner Brooks made a motion to authorize the chairman's signature on the final plat for Burris Ranch Estates Subdivision, case no. SD2022-0058. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 11:34 a.m. to consider matters related to Indigent Services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George, COO Greg Rast (left at approximately 11:40 a.m.), and Deputy Clerk Jenen Ross.

Case no. 2012-543 has met their obligation to the county and Indigent Services is requesting approval for a release of lien. Commissioner Van Beek made a motion to approve the release of lien for case no. 2012-543. The motion was seconded by Commissioner Brooks and carried unanimously.

Case no. 2024-36: An application was received from the funeral home on 8/6/24 and a case was opened on 8/22/24 for an abandoned body. The decedent passed on 7/19/24 in a Canyon County hospital and following the 40-day wait period the funeral home has cremated the body and are now seeking reimbursement from the county. Based on research done by the Indigent Services

office, Ms. George is not able to confirm this person was a Canyon County resident. There may be the asset of a vehicle in the hospital parking lot but that would be under the purview of the Coroner or Treasurer to open a public administration case. Additionally, the funeral home would have the option of applying to be the public administrator in order to seek relief thru the court system. Following Board discussion and deliberation, Commissioner Van Beek motioned that the Board denies case no. 2024-36 based on information that this individual is not a resident of Canyon County, standing squarely on Idaho State statute, with the caveat that additional coordination with other county offices needs to happen with the potential that this would come back. The motion was second by Commissioner Brooks.

Case 2024-37: An application was submitted by the funeral home on 8/26/24 for an abandoned body; the decedent passed on 7/21/24. Indigent Services did an investigation and determined that the decedent entered a rehab center in Owyhee County in May of 2024 and appeared to live there for 68 days prior to passing. As part of the investigation, a home seems to owned by someone with the same last name as the decedent but Indigent Services was unable to make contact with that person. Additionally, there was a fairly significant social security income and two vehicles that were purchased in the decedent's name. Commissioner Van Beek made a motion that the Board denies the cremation costs on case no. 2024-037 based on the information provided and the potential that this person is not a Canyon County resident. The motion was seconded by Commissioner Brooks and carried unanimously.

Case no. 2024-38: There is no family for public administration and/or probate. The decedent appears to be a Canyon County resident but had no spouse or children; an estranged sister has been located but refuses to participate in the process. A small amount of assets along with a 1996 Chevrolet truck and bank account have been identified but Indigent Services is uncertain about the value of the assets. The decedent's husband is buried at the Veterans' cemetery and there is an application process in which the decedent could also be buried there. Commissioner Van Beek moved to deny cremation costs for case no. 2024-38 because additional information, meaning there could potentially be resources, the county is not the payer of last resort, that question has not been answered. Commissioner Brooks seconded the motion.

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

SEPTEMBER 2024 TERM
CALDWELL, IDAHO SEPTEMBER 5, 2024

APPROVED CLAIMS

- The Board has approved claims 609366 to 609401 in the amount of \$292,003.37
- The Board has approved claims 609123 to 609160 in the amount of \$76,034.31

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Cody Cannon McCade, CCSO Inmate Control – new hire
- Jess William Varner, CCSO Inmate Control – new hire
- Christopher Angel, CCSO Inmate Control – new hire
- Kona Marie Bustos, CCSO Booking – new hire
- Anthony Clark, Inmate Control, received intermediate detention certificate

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- Cinders to be used on 9/13/24 for the Sheckherd wedding

FILE IN MINUTES

The Board filed the Treasurer's monthly report from July 2024 in today's minutes.

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

The Board met today at 9:34 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. Laura Keys, Controller Kyle Wilmot, Elections Supervisor Haley Hicks (left at 9:36 a.m.), Treasurer Jennifer Watters, Deputy Treasurer Tonya May, Assessor Brian Stender, COO Greg Rast, DSD Staff Sabrina Minshall and Jay Gibbons arrived at 9:39 a.m., and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Signing a Resolution Classifying Records of the Canyon County Clerk and Authorizing the Destruction of Certain Records: Mr. Klaas explained this is a standard document destruction resolution in preparation of moving to the new elections' office. Ms. Hicks said these are election records that ready for destruction per statute. Documents to be destroyed are listed as part of the resolution. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution classifying records of the Canyon County Clerk and authorizing the destruction of certain records (resolution no. 24-165).

Consider Signing a Resolution Authorizing the Issuance of a Quitclaim Deed for PIN 34980000 0, 0 Pond Lane, Caldwell Idaho; and Consider Signing Quitclaim Deed for PIN 34980000 0, 0 Pond Lane, Caldwell, Idaho: Ms. Keys said that legal has reviewed the documents following the sealed bid auction that was previously held. Commissioner Van Beek made a motion to sign the resolution authorizing the issuance of a quitclaim deed for PIN 3498000 0 to H&B Crushing and to sign the quitclaim deed for the same property. The motion was seconded by Commissioner Brooks and carried unanimously. See Resolution no. 24-166.

Commissioner Holton made a motion to continue the legal staff update to 2:30 p.m. today. The motion was seconded by Commissioner Brooks and carried unanimously.

Mr. Rast noted he has six topics for discussion he forwarded to legal which will be addressed at a legal staff meeting next week.

The meeting concluded at 9:42 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today 9:45 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 Office Manager Jennifer Almeida, DSD Planning Supervisor Carl Anderson, COO Greg Rast, Constituent Services Director Aaron Williams, and Deputy Clerk Monica Reeves. Director Minshall provided multiple handouts today, copies of which are on file with this day's minute entry, and are summarized as follows:

Review of the updated general business topics that are being worked through and gave a recap of where we have been, where we are headed, and the areas where staff needs direction.

Review of the zoning application count and revenue by type.

Land Use Case Status

- DSD will provide updates on the land use case status, the point in time of where cases are.
 - 26 cases are in the hearing process
 - Will provide a monthly report that include case type and caseload by planner

Parcel Inquiries

There was discussion regarding parcel inquiries, both the process used by DSD and the fee charged to make sure the costs are being covered.

- When is staff just answering a question versus when to do a parcel inquiry?
 - Training team to answer basic questions
 - Staff is getting into a lot of interpretation which needs clarification to provide better service. If they are interpreting things often, an ordinance update is needed.
 - Charge more and charge what is happening
 - Address and fix over the next year what is causing the underlying issues
 - Two different categories of questions that come in through parcel inquiries
 - Is a split available? Is a building permit available?
 - Require the applicant to submit a title report with the PI's. If an interpretation of originality is needed we would solicit a surveyor with fees

- What is the zoning of the property? What are the types of uses, etc.?
 - When questions that go beyond a 15-20-minute conversation, staff steers people towards a parcel inquiry to recoup staff time.
 - May require future text amendment updates to the definition of originality to make things clear and try to reduce the ambiguity.
 - Changing the originality date complicates other things and opens up additional splits.
 - Future discussions will be held.
- First step is implementing a fee schedule and retraining staff and change management to the public to help them know what their path forward is to apply.

Commissioner Holton does not want to consider changing the date of originality before we are done with the fee schedule and ordinance updates, and until he is comfortable with what we need in the background supporting the comprehensive plan. With regard to fees, he suggested starting with a base fee of 15 minutes, and pay a base rate of the portion of an hour above that because applicants need to pay what it costs to get through the system. Director Minshall said she will seek a title change for the permit technicians to DSD technicians who can answer the first 20%-25% of questions that are coming in and not have to call on a planner. She is hesitant to start into a pay-as-you-go billing concept because they will need another employee for billing due to the volumes. DSD Assistant Director Gibbons said we need to update the fee schedule to address the applications they see on a regular basis based on what the time tracking and research indicate. Commissioner Holton is uncomfortable with the dollar amounts on the proposed fee schedule because they are inadequate, particularly the additional per lot fee of \$10. Director Minshall said it's a base assumption of what is the average amount of time that we know based upon time tracking and averages by type of case and by efficient service provisions of what we know historically and we can update year-to-year. What Commissioner Holton is communicating is a completely different approach of where we have a basic base fee and are time tracking all the times that go into each application and billing each month for that application to move forward. That's a very different approach but if the Board wants them to pursue that they will although implementing it will be very, very challenging and does not fit the department for how many applications and how many people touch an application. They would have to adjust a lot of their systems. Commissioner Holton said the 6-lot subdivision is paying its way while the 20-lot and 50-lot subdivisions are getting a freebie; it's not equitable. He is willing to get away from the time structured issue, but he wants staff to dial it in. Commissioner Van Beek likes what DSD has presented, but said we need to talk more about the specificity and line item details and have further discussions about the fee structure. Director Minshall said they will look at the acreage and the lots and meet with her staff and bring it back for discussion next week. The Board action was required or taken. The meeting concluded at 11:07 a.m. An audio recording is on file in the Commissioners' Office.

CONTINUED MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 2:32 p.m. for a continued legal staff update from earlier this morning. The Executive Session was held 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 2:32 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. A roll call vote was taken on the motion with Commissioners Van Beek, Holton 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, Deputy PA Zach Wesley, Norm Brown, and COO Greg Rast. The Executive Session concluded at 3:10 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.

SEPTEMBER 2024 TERM

CALDWELL, IDAHO SEPTEMBER 6, 2024

APPROVED CLAIMS

- The Board has approved claims 609235 to 609276 in the amount of \$49,243.67

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Angela Harrigan, Deputy Prosecuting Attorney III – Criminal, rehire
- Jennifer Watters, Appointment to Treasurer
- Erik Ellis, Appointment to Interim Chief Public Defender

FILE IN MINUTES

The Board filed the following documents in today's minutes:

- Letter to the State Public Defense regarding designated office space
- LGIP letter naming current Board members and agency contact information change form

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 9:35 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Laura Keys, Deputy P.A. Trent McRae, HR

Director Marty Danner, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Services Agreement with Right! Systems Inc.: This agreement is a \$5000 flat fee agreement as part of purchase order no. 5998 submitted in April 2024. The agreement has been reviewed by legal and COO Rast acting in the CIO capacity. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the services agreement with Right! Systems Inc. (agreement no. 24-092).

Consider Adoption of the Updated Job Description for the Director of Information Technology/Chief Information Officer: Director Danner explained that HR is working to redesign the format of the job description template so this one looks slightly different from what the Board has seen before. The new format lists key responsibilities in a bulleted format in an effort to attract the best candidates possible. COO Rast noted that one change specific to this position is that the CIO will report directly to the COO under the authority of the BOCC in an effort to create a seamless transition. Once the new CIO is in place for a period of time they will have the opportunity to choose their chief deputy. Mr. Rast feels that eventually the job description can be rewritten to phase out his responsibilities and have the CIO report directly to the Board. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the updated job description for the Director of Information Technology/Chief Information Officer (resolution no. 24-167).

Mr. Rast noted that the revised job description template will be added as an action item for Board consideration at a later time.

The meeting concluded at 9:42 a.m. and an audio recording is on file in the Commissioners' Office.

SEPTEMBER 2024 TERM
CALDWELL, IDAHO SEPTEMBER 9, 2024

No meetings were held this day.

APPROVED CLAIMS

- The Board has approved claims 609183 to 609234 in the amount of \$77,346.34
- The Board has approved claims 609277 to 609329 in the amount of \$76,965.50
- The Board has approved claims 609402 to 609406 in the amount of \$32,870.10
- The Board has approved claims 609407 to 609408 in the amount of \$4,425.07

SEPTEMBER 2024 TERM
CALDWELL, IDAHO SEPTEMBER 10, 2024

APPROVED CLAIMS

- The Board has approved claims 609330 to 609364 in the amount of \$126,952.45
- The Board has approved claims 609409 to 609411 in the amount of \$713.00

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Faster Asset Solutions in the amount of \$93,832.96 for the Fleet Department (PO #5954)
- Mountain Home Auto Ranch in the amount of \$289,236.00 for the Fleet Department (PO #5955)
- NWestco in the amount of \$32,694.28 for the Fleet Department (PO #5957)

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for:

- Luis Angel, Deputy Sheriff - Patrol

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- The Tower Grill to be used on 9/28/24 for the Durran wedding
- The Tower Grill to be used on 9/28/24 for the Bolinske wedding

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Director of Juvenile Detention Sean Brown (left at 9:36 a.m.), Lt. Ray Talbot (left at 9:34 a.m.), Lt. Martin Flores (left at 9:40 a.m.), Facilities Director Rick Britton (left at 9:44 a.m.), Director of Constituent Services Aaron Williams, Representatives for the Voice of Idaho Amateur Radio Club, DSD Staff Sabrina Minshall, Jay Gibbons, Jennifer Almeida and Carl Anderson (arrived at 9:42 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Memorandum of Understanding between Canyon County, Canyon County Sheriff's Office and Voice of Idaho Amateur Radio Club: This MOU is related to resolution no. 24-131 signed in June 2024 and grants tower access to the club for installation and maintenance of the repeater for the emergency ham radio network. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the memorandum of understanding

between Canyon County, Canyon County Sheriff's Office and Voice of Idaho Amateur Radio Club (agreement no. 24- 095).

Consider Juvenile Detention Housing Agreement with Elmore County: This is the standard agreement with the only change being to the daily rate from \$220 to \$235. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the juvenile detention housing agreement with Elmore County (agreement no. 24-093).

Consider Canyon County Sheriff's Office Smartphone Application Development Services Agreement with OCV, LLC: Lt. Flores explained this is the Sheriff's app to directly connect with the populous and is in partnership with the Idaho Sheriff's Association. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign Canyon County Sheriff's Office smartphone application development services agreement with OCV, LLC (agreement no. 24-094).

Consider First Amendment to Construction Contract with Veritas – Facility Services and Construction for the 2024 Celebration Park Deck Improvements Project: Director Britton explained that due to time restraints this project was pushed to FY25; this amendment revises dates for the later start time. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the first amendment to construction contract with Veritas – Facility Services and Construction for the 2024 Celebration Park Deck Improvements Project (agreement no. 24-096).

The meeting concluded at 9:45 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 9:54 a.m. for a DSD general business meeting. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, DSD Office Manager Jennifer Almeida, DSD Planning Supervisor Carl Anderson, Director of Constituent Services Aaron Williams, Code Enforcement staff Eric Arthur, Katie Phillips, Kathy Husted (arrived at 10:57 a.m.), Mitch Kiester with SWDH (arrived at 10:57 a.m.) and Deputy Clerk Jenen Ross.

When evaluating the fee schedule, Board direction was to evaluate items that were application/property related services and how to capture those to ensure the people using those services are paying for the services vs. the public/general fund paying for those. Additionally, the expectation is that DSD provide quality customer service, receptive and timely and that processes are explained in a way that follows good customer service. They are working to determine how to capture those costs once a discussion moves past the 15-20-minute timeframe.

There are 3 ways to approach fee schedules:

1. Determining how to increase while still making it palatable to the community; or
2. Making an educated estimate of time for certain activities and then average them. This route is the recommendation of DSD knowing that they will continue to track throughout the year and make adjustments as necessary; or
3. Tolling/tracking of time for each activity. This is the most clear, accurate and defensible. However, it is the most difficult to implement and estimate. This is the path that Commissioner Holton would like DSD to follow.

The concern staff has heard over the past few meetings is concern about all the fees being captured and if they're enough to cover costs. After following up with the DSD team, Director Minshall feels comfortable with where the fees are. However, in response to those concerns a few of the fees have been increased:

- Entitlement Research (per parcel) + (additional consultant fees may apply), increased from \$300 to \$350
- Consultation meeting has been added, \$50
- Application Completeness Review (per review, after 2), increased from \$50 to \$75
- It is also noted that planning case fees may also require engineering fees to be added and that entitlement research may be required if not previously completed.
- Rezones (or conditional rezones), the base fee has been reduced from \$2250 to \$1250 but if the property is over 10 acres there is an additional \$40 per acre charge.
- Planning and Engineering: Short plat, Preliminary Plat and Final Plat – conformity with development agreement fee (if applicable) and a per lot fee if greater than 29 lots.
- Contract/external engineering services: will be charged at actual cost.
- In regard to solar or wind farms, those would need to come before the Board for a fee resolution as there is no specific ordinance that addresses this.
- Following discussion regarding Commissioner Holton's concerns about the use of county legal time for review of development agreements, a decision was made to note that 1-hour of PA time is included in the \$500 fee, any additional time will be charged at actual cost.
- Mr. Gibbons reviewed a document with six examples comparing FY24 to proposed FY25 fees (a copy is on file with this day's minutes)
- Commissioner Van Beek expressed her concern with being able to manage the demand of Canyon County growth in way that is well planned.
- Discussion ensued regarding parcel inquiries which can be simple or very complicated. As a way of handling this, DSD has divided them into two levels:
 - Level I: 15 to 20-minute conversation at the counter with about an hour of follow-up research.
 - Level II: Entitlement research - how the parcel was created, where it stands in regard to splits, eligibility for development purposes which can take a fair amount of time. This can be done prior to an application being submitted or it can be bypassed but once a completeness review is done there may need to be additional research.
- Director Minshall requested direction from the Board in regard to moving forward with the revised fee schedule. Commissioner Holton said he is good with what has been presented, just an asterisk for the P.A. costs. The Board has confirmed they are good with this moving

forward to public hearing. The three items needing revision include contract/external engineering being changed to actual costs, P.A. costs over 1-hour will be billed at actual costs, entitlement research will be included under admin cases also.

- Discussion regarding refund guidelines. The policy at Ada County is a refund of up to 75% could be granted but only within the first 7 days. The Board is in favor of mirroring this policy. Director Minshall indicated she will have legal and the Clerk review in order to prepare for publication.

The meeting concluded at 11:08 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH CODE ENFORCEMENT TO DISCUSS PROPERTY ABATEMENT

The Board met today at 11:14 a.m. with Code Enforcement to discuss a property abatement and consider an associated action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur, Code Enforcement Office Katie Phillips, Sr. Administrative Specialist Kathy Husted, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Director of Constituent Services Aaron Williams, Mitch Kiester with SWDH, and Deputy Clerk Jenen Ross.

Mr. Arthur provided a history of the code enforcement issues associated with the property located at 0 Leigh Lane, Parma, Parcel no. R39481503 including sewage, general household debris and trash on the property and the notices that were issued. Mr. Kiester said that this property was reported to SWDH in December of 2021 and at that point they did go on site; a notice of violation was issued and submitted to DEQ and code enforcement. They were also notified of the March 2024 case where they again went out to the site and another notice of violation was issued to the property owner and submitted to DEQ. There is no waste water disposal and does not meet basic requirements, including being too close to irrigation water. Additionally, there are concerns about solid waste on the property. Mr. Kiester said that DEQ and SWDH have the regulatory authority to issue a notice of violation, however, SWDH does not have the mechanism in place for abatement or the ability to seek reimbursement and often DEQ lacks in taking over these cases. He also noted that DEQ can escalate to the Attorney General's Office but they often are not willing to take on these kinds of cases. The SWDH Director has the ability to escalate to the Prosecuting Attorney although did not confirm whether this particular case had been forwarded.

The Board expressed their frustration with the Prosecutor's Office in not taking additional action on this case as it appears to be a public health and safety issue.

Commissioner Van Beek made a motion authorizing the abatement of the property. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 11:27 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 11:31 a.m. to consider matters related to Indigent Services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Indigent Services Yvonne Baker, Case Manager Kellie George, Director of Constituent Services Aaron Williams, Jim Schmear with All Valley Cremation, and Deputy Clerk Jenen Ross.

Case no. 2024-36: This case was heard last week and was issued a denial by the Board. The funeral home, All Valley Cremation, has requested an appeal of that decision. Ms. George explained that this person passed away in a Canyon County hospital but through their investigation were not able to determine them to be an Idaho resident. The assumption is they were traveling thru Idaho when they fell ill and ended up in the hospital so there may be a vehicle belonging to the decedent still at the hospital but it would fall under the purview of the Coroner to secure any assets and notify the Treasurer of possible public administration. Mr. Schmear feels that this is an abandoned body and under state statute becomes the responsibility of the county.

Discussion ensued regarding policy and process for these kinds of situations.

Commissioner Van Beek moved that the Board approve the fee for cremation on case no. 2024-36 relating to abandoned bodies and that we notify the Treasurer's Office, and that if assets are secured those assets are liquidated and applied back against to reimburse Canyon County taxpayers. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 11:45 a.m. and an audio recording is on file in the Commissioners' Office.

SEPTEMBER 2024 TERM
CALDWELL, IDAHO SEPTEMBER 11, 2024

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Legends Sports Pub & Grill to be used on 9/27/24 for the Winn wedding
- Legends Sports Pub & Grill to be used on 10/4/24 for the Elliott wedding
- Legends Sports Pub & Grill to be used on 10/6/24 for the Riley wedding
- Legends Sports Pub & Grill to be used on 10/11/24 for the Valdez wedding
- Legends Sports Pub & Grill to be used on 10/12/24 for the Jefferies wedding
- Legends Sports Pub & Grill to be used on 10/26/24 for the Sanches wedding
- Legends Sports Pub & Grill to be used on 11/2/24 for the Fino wedding
- Legends Sports Pub & Grill to be used on 11/9/24 for the Johnson wedding
- Legends Sports Pub & Grill to be used on 11/16/24 for the Hirsch wedding
- Legends Sports Pub & Grill to be used on 12/13/24 for the Agri-Lines Christmas party

- Legends Sports Pub & Grill to be used on 12/21/24 for the Knowles wedding
- Barley Pops to be used on 9/21/24 for the Paulson wedding
- Barley Pops to be used on 9/22/24 for the Hampton wedding

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

The Board met today at 10:02 a.m. with the HR Director to discuss general issues, set policy, and give direction, and to consider a resolution adopting a new job description template. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, HR Director Marty Danner, COO Greg Rast, Chief Civil Deputy PA Aaron Bazzoli, Deputy PA Zach Wesley, Controller Kyle Wilmot, and Deputy Clerk Monica Reeves. Director Danner said upon reviewing the County job descriptions she found them to be wordy and confusing to the candidate, so in trying to streamline and make things simpler she prepared a template that is simple, but informative and to the point and it will be customized to every position. Commissioner Van Beek said she likes the simplified form and she submitted one from the City of Nampa for comparison. There was discussion on her suggested edits to Director Danner's template pertaining to revision/effective date and the skills and abilities section. Commissioner Holton likes the language about clarity of speech and hearing and he spoke about the importance of effective communication. Director Danner will meet with Legal and look at what the City of Nampa has and make something more detailed and expand on what we have in our essential physical abilities. Commissioner Brooks said the introduction of the Nampa job description is derailing what should be a benign acceptance of a resolution, and he said he supports what the HR Director has presented and is in favor of the resolution moving forward. Commissioner Holton said the first step is having boilerplate language that is common to all and there can be further discussion about the other nuances. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the resolution approving a new job description template. (No. 24-168.) COO Rast asked if the rest of the directives on the small changes can be treated as an administrative matter. Deputy PA Wesley said yes, we have a process to adopt the individual job descriptions and as we go through the 900 positions, we can simplify them and bring them into the new standard and then bring them back. There will be an administrative portion and then a final action.

Director Danner gave an update on the following topics:

Revamp of the Employee Status Change Form, and Review of Options Offered through ADP:

- They had to revamp the form outside of the Sheriff's Office based on changes made in payroll.
- Recruitment module
 - She was tasked with looking into ADP and she has found somethings within ADP that could work for us better than what we currently have. The County currently uses Job Score as our recruitment tool but with more research they can identify if the Job Score is the right tool. She will obtain a cost estimate on adding the recruitment module through ADP.

- Performance review module for a County-wide performance review program. Hopes to bring a report to Board by the end of September.
- Through ADP she found a way to split out specialty pay
 - Starting October 1st specialty pay will be split out
 - HR will own the specialty pay portion and Auditing will pull it into payroll
 - CCSO leadership supports this
- The current status change form doesn't work for what they're going to do so HR altered it to include base pay, market adjustment, merit pay, and other; total requested pay; specialty pay for BOCC review; a notes section; and an increased font size. (This is not the form the Sheriff's Office will use.) The Board likes the new form.

Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to amend the agenda to consider the employee status change form approval and to give direction to HR to proceed with the new form as presented. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to approve the draft employee status change form as presented this morning and give HR the authority from the Board to use it as the official form.

(Deputy PA Wesley left at 10:43 a.m.)

Employee Handbook Update:

- It's antiquated and Director Danner is looking forward to working on it with the Prosecutor's Office.
- There are policies that have to be rolled prior to the entire handbook being revamped. She created a pet policy for Legal review and it can be addressed at another meeting.
 - Commissioner Van Beek said the Courts have experience issues with people bringing birds, snakes, dogs and they have said you cannot bring anything in to court and so she was curious if Director Danner looked at that. Director Danner said Legal put together a policy about service animals in County buildings whether you are an employee or a visitor. Chief Civil Deputy PA Bazzoli said they looked at the ADA and some Supreme Court cases dealing with service animals as well as emotional support animals to make sure we are compliant with the law.
- COO Rast said there are three changes that need to be added to the handbook before we do a full revamp: new pet policy; years of service/prior employment; and vacation granted for recruitment.
- The update can be sent through ADP to all employees who will have to acknowledge they received it. The acknowledgements will be tracked by HR.

HR Support of the Ambulance District:

Currently there is an agreement between the County and the Ambulance District where they are billed \$50 per hour based on the support they receive from their HR business partner. Director Danner said HR has pulled the average hours through 2024 and determined what they spend in time and she would like to move to a flat monthly fee of \$350 rather than tracking time. Commissioner Van Beek is in favor of that. COO Rast said the typical structure has been per fee, per hour because there are ebbs and flows on services. Director Danner said if the practice has been to bill hourly then HR will have a spreadsheet to track time and stay consistent with the rest of the County.

Climate Checks:

Director Danner has done some climate checks in specific departments based on information that's come through the HR Department. She has spoken with multiple directors and elected officials and they are on board with HR doing climate checks which has let HR know where there are opportunities inside the office/department that will help guide a bimonthly training schedule for 2025 such as leadership, sensitivity, etc.

Exit Interviews:

HR conducts exit interviews for every person that leaves in order to give the Board some insight on a monthly basis about why people are leaving the County. Currently, they do not do exit interviews for the Prosecutor's Office of the Sheriff's Office, although Director Danner believes they will be conducting exit interviews for the Sheriff's Office in the next month or so. COO Rast said we should not have a process where a director or elected official does an exit interview before the person goes to HR, and said if we are trying to change the culture it should be going through HR to establish those trends and statistics and opportunities for leadership and sensitivity trainings. He asked if the Board wants to endorse that or leave it to discretion of the elected officials and directors. Commissioner Van Beek said the Board is the policymaker and the policy should be that the exit interview should lie with the HR professional team. Elected officials should not opt out of the process because it undermines HR. It's been brought up in public meetings and the Prosecutor has been very resistant to that and not open to any change. Commissioner Holton does not want anyone singled out and said there are other players involved, not just the Prosecutor. The Board can set any policy it wants and it seems illogical that an elected official or director is telling the Board what the procedure or policy will be for the County. He doesn't care what the Prosecutor's opinion is about an exit interview; he authorizes the paychecks for employees, not the Prosecutor, they are the Board's employee working for the Prosecutor. All employees will get an exit interview. Commissioners Van Beek and Brooks concur. Director Danner asked the Board to support HR and notify directors that no other exit interviews should happen prior to the HR interview. If they want to speak to the people afterwards or if their exiting employee wants to speak with them she doesn't see any issues with that; however, she doesn't want them to speak with their exiting employee before HR speaks with them.

HR Appreciation Day:

September 26 is HR Appreciation Day so the department will host an open house from 2-4 p.m. with cookies. Everyone from the County will be invited and she would like the Board to join.

Vacancy Reports:

HR will send monthly vacancy reports to the Board.

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

PUBLIC HEARING: A REQUEST BY SHAWN AND RAE LYNN KELLEY FOR APPROVAL OF ALPINE VIEW ESTATES SUBDIVISION, CASE NO. SD2022-0056

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of request by Shawn, and Rae Lynn Kelley, for approval of Alpine View Estates Subdivision, a three-lot subdivision served by a private road lot. The request includes a waiver of subdivision improvements such as sidewalks, gutters, street lighting, and landscaping. Present were: Commissioners Brad Holton and Leslie Van Beek, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Dan Lister, Shawn Kelley, Rae Lynn Kelley, Constituent Services Director Aaron Williams, and Deputy Clerk Monica Reeves. Principal Planner Lister gave the oral staff report. The 4.12-acre parcel, R38194010A, is zoned to a "CR-R-1" (Conditional Rezone – Single Family Residential; one-acre average minimum lot size). The subject property is located at 24720 Harvey Road in Caldwell. On July 11, 2024, the Planning and Zoning Commission recommended approval of the request. The Board approved a conditional rezone request on May 6, 2024 which limited the development to three buildable lots. The development agreement approved as part of the approved rezone (CR2022-0033) requires a utility easement along Harvey Road to be established to ensure development does not impede the city's ability to extend services to the area in the future. The plat shows a 10' utility easement along Harvey Road. Plat Note #4 states the different utilities that can be established within the easement including public utilities. Current access is via a 25' unmaintained right-of-way established by Drake Subdivision. The applicant proposes a private road, Kelley Lane to serve the three lots. The proposed private road does not meet County requirements. A private road must be located within a road lot (60' wide unless reduced through the director's decision to 50' wide). Lot 4, the private road lot, shall be dedicated to the highway district to make the total width of the right-of-way 50' or the 25' public right-of-way must be abandoned and shown within the private road lot as 50' wide. If the highway district determines the 25' right-of-way is adequate to provide access to the subdivision, then Lot 4 shall be removed. Irrigation water will be provided to each lot through a pressurized irrigation system owned and maintained by Drake Subdivision Homeowner's Association. The proposed irrigation complies with Black Canyon Irrigation District's letter. As a condition of approval, Black Canyon Irrigation District shall review the final plat and provide comment; and a water user's maintenance agreement between Drake Subdivision HOA and the proposed subdivision shall be recorded. There was a review of the agency and public comments.

Conditions of Approval

1. All subdivision improvements (public roads, shared access, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
2. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected.

- a. Black Canyon Irrigation District shall review the final plat to ensure all concerns in their comment letter (Attachment B & C) are addressed. Evidence of compliance shall be submitted to DSD prior to the Board's signature on the final plat.
3. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property.
4. The development shall comply with Southwest District Health (SWHD) requirements. Evidence shall be SWDH's signature on the final plat.
5. The development shall comply with the requirements of the Highway District #4. Evidence shall be the Highway District's signature on the final plat.
 - a. Lot 4, the proposed road lot, shall either (1) be dedicated to the highway district to make the total width of the right-of-way 50', or (2) the 25' public right-of-way must be abandoned and shown within the private road lot as 50' wide. If the highway district determines the 25' right-of-way is adequate to provide access to the subdivision, lot 4 shall be removed.
6. The shared 60' wide access easement (unless reduced to 50' via an easement reduction application pursuant to CCZO Section 07-10-03(1) D) shall have a recorded road user's maintenance agreement in accordance with CCZO Section 07-10-03(1)B3. The agreement with the instrument number shall be added as a plat note on the final plat.
7. A water user's maintenance agreement between the subdivision and Drake HOA shall be recorded. The agreement with the instrument number shall be added as a plat note on the final plat.
8. Compliance with the international fire code and Fire district review of the access and turnaround is required. Evidence of compliance shall be submitted to DSD prior to the Board's signature on the final plat.
9. The recorded development agreement shall be referenced as a plat note on the final plat.

Following Planner Lister's report, the Board had follow-up questions for staff.

Shawn Kelley testified in support of his request and responded to questions from the Board regarding irrigation and access. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to close public testimony. Commissioner Van Beek said the case was well prepared and presented by staff and she appreciates the applicant's testimony. Commissioner Holton is satisfied with the conditions of approval. There was discussion with staff regarding a pre-annexation agreement and how the P&Z Commission did not require one. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to approve the preliminary plat for Alpine View Estates Subdivision, Case No. SD2022-0056, subject to the conditions of approval as outlined. The signed the FCO's are on file with this day's minute entry. The hearing concluded at 2:00 p.m. An audio recording is on file in the Commissioners' Office.

APPROVED CLAIMS

- The Board has approved the August jury claim in the amount of \$2,845.59
- The Board has approved the grand jury claim in the amount of \$3,436.23
- The Board has approved claims 609412 to 609413 in the amount of \$704.00

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Sam Dickinson, Deputy Prosecuting Attorney II - Criminal
- Christopher Wilcox, Deputy Prosecuting Attorney I, Limited License - Criminal
- Celena Romo, Legal Assistant II - Criminal
- Daisy Olmedo, Legal Assistant I - 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 Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Deputy P.A. Laura Keys, Attorney Bill Gigray via teleconference, Director of Constituent Services Aaron Williams, COO Greg Rast, Fire District representatives, DSD Staff Sabrina Minshall, Jay Gibbons, Jennifer Almeida and Emily Kiester arrived at 9:43 a.m., and Deputy Clerk Jenen Ross. The action items were considered as follows:

Mr. Wesley explained this is a project that has been a joint effort between himself, Aaron Williams, Bill Gigray and the districts that has been worked on over the past several months. Structurally these are uniform agreements with very few exceptions. The agreements do not change any of the impact fees or processes that already exist, they are mainly to get back in line with state law and to be a starting point for when districts need to ask for a change of fees or file an annual report. Specific to Homedale Rural Fire Protection District and Parma Rural Fire Protection District this is a starting point for them to organize, get their capital improvement plan done and work thru the process to have impact fees imposed. The primary purpose is due to change in the law that occurred in 2023, with the most significant change being that when new members are appointed to the impact advisory fee committees they have to reside within the service area. Mr. Wesley provided a brief summary of the work each of the committees will be responsible for and the roll the county will still have. Mr. Gigray offered his comments on the establishment of these agreements.

Consider signing amendments to intergovernmental and joint powers agreements for the collection and expenditure of development impacts fees with the following districts:

- Caldwell Rural Fire Protection District
- Canyon Highway District No. 4
- Kuna Rural Fire District
- Marsing Rural Fire District
- Middleton Rural Fire District
- Nampa Fire Protection District
- Star Fire Protection District
- Wilder Rural Fire Protection District

Commissioner Brooks made a motion to sign the amendments to intergovernmental and joint powers agreements for the collection and expenditure of development impacts fees as enumerated. The motion was seconded by Commissioner Van Beek and carried unanimously (agreement nos. 24-097 thru 24-104).

Consider signing intergovernmental and joint powers agreements for the collection and expenditure of development impacts fees with the following districts:

- Homedale Rural Fire Protection District
- Parma Rural Fire Protection District

Commissioner Brooks made a motion to sign the intergovernmental and joint powers agreements for the collection and expenditure of development impacts fees with Homedale Rural Fire Protection District and Parma Rural Fire Protection District. The motion was seconded by Commissioner Van Beek and carried unanimously (agreement nos. 24-105 and 24-106).

Chairman Holton adjourned the meeting at 9:58 a.m. and went back on the record at 10:02 a.m. where a request to go into executive session was made 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 10:03 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 10:19 a.m. with no decision being called for in open session.

The meeting concluded at 10:20 a.m. and an audio recording of the open portion is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 10:20 a.m. for a DSD general business meeting. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Director of Constituent Services Aaron Williams, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, DSD Office Manager Jennifer Almeida, DSD Associate Planner Emily Kiester, COO Greg Rast (left at 10:59 a.m.) and Deputy Clerk Jenen Ross.

Director Minshall spoke to getting into the conversation about determining what really is agriculture and how it relates to plans and land use, what is rural living and what is the compatibility of county land uses, getting into essential services and where things make sense and building a foundation. There are many ways to define agriculture: productive agriculture, prime agriculture, farming, hobby farming - additionally there is the tax side of what an agricultural exemption is which he hopes to have the Assessor's Office speak about next week.

Mr. Gibbons asked for Board impressions from the maps that were reviewed at previous meetings. There are many areas within the county that are agriculturally tax exempt but he noted there are some larger acreages that don't have an ag exemption. Over the course of the next few weeks DSD hopes to have the discussion as to what the vision or direction that needs to be reflected in their land use efforts. By the first of October they hope to have the policies, objectives and goals ironed out for the comprehensive plan to reflect this (maps provided at the September 3rd meeting). Director Minshall asked if the Board has any general input regarding the maps and noted that once agriculture is defined they will start working on cities areas of impact. Director Minshall asked the Board to start thinking about what they determine agriculture to be or if it needs to be defined differently such as productive agriculture or prime agriculture. They really need this feedback in order to determine how this looks on a land use map and ordinances.

Ms. Keister provided a packet of material which reviews several different agriculturally related items and definitions. The sections reviewed were:

- Idaho State Code 67-6502
- Idaho State Code 63-604
- 2030 Comprehensive Plan
- 2020 Comprehensive Plan
- Current Zoning Ordinance
- Chart for 2030 Comprehensive Plan to Zoning Ordinance Densities
- Chart of 2020 Comprehensive Plan to Zoning Ordinance Densities

Discussion topics during Ms. Kiester's review included the following:

- Commissioner Holton expressed his frustration that in the 2030 comprehensive plan there is no tie-in to the viability of agricultural lands to connect to water availability.
- Director Minshall noted that the chart depicting zoning regulations does not belong in the 2030 comprehensive plan. There cannot be just one agricultural designation, there will need to be other designations in some of the transition areas. There will then need to be a crosswalk between the long-range vision and a comprehensive plan designation and determining what needs to be in the comprehensive plan and what ordinances need to be brought with it.
- Director Minshall feels there is a really good foundation to the 2030 plan but there just needs to be some determinations of “how does it work?” and “is it in the right place?”
- Agritourism and the potential issues and challenges that surround it.
- Definition of what qualifies as prime farmland.
- Commissioners Holton and Van Beek expressed their frustration with the 2030 plan and how this Board is working to tune it up.
- The need to figure out the compatibility between land divisions and what has already been done in the county and the preservation of ag land.
- Commissioner Van Beek would like to do a tour of the county to see what is really being done.
- Zach Wesley said there are conflicts all over the document, he doesn’t think that Canyon County’s administrative land division process/non-viable is repeated in the state, he thinks it does create this conflict and it’s difficult to apply and it’s going to be inconsistent for that reason. He believes the Board and DSD is on the right track.
- Commissioner Van Beek feels that input from large scale farmers is missing and that there is still feedback that could be given. Director Minshall wants to start looking at parcel ownership.
- Average minimum lot sizes and compatibility with cities. Director Minshall asked the Board to really start thinking about density and compatibility and how it applies to Canyon County.

A copy of the document reviewed by Ms. Keister is on file with this day’s minutes.

The meeting concluded at 12:00 p.m. and an audio recording is on file in the Commissioners’ Office.

MEETING TO CONSIDER RESOLUTION APPROVING NEW ALCOHOLIC BEVERAGE LICENSES

The Board met today at 12:00 p.m. to consider a resolution approving new 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:

- Kindred Vineyards, LLC dba Kindred Vineyards
- Video Mexico Nampa, LLC dba Video Mexico Nampa (521 Caldwell Blvd., Nampa)
- Video Mexico Nampa, LLC dba Video Mexico Nampa (417 11th Avenue North)

Commissioner Brooks said he has reviewed the applications and is in favor, he then made a motion to sign the resolution approving alcoholic beverage licenses for Kindred Vineyards, LLC dba Kindred Vineyards, Video Mexico Nampa, LLC dba Video Mexico Nampa (521 Caldwell Blvd., Nampa), and Video Mexico Nampa, LLC dba Video Mexico Nampa (417 11th Avenue North). The motion was seconded by Commissioner Van Beek and carried unanimously. See resolution no. 24-169.

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

PUBLIC HEARING - A REQUEST BY DANIEL CALDWELL FOR SHORT PLAT APPROVAL OF BASIN VIEW SUBDIVISION #2, CASE NO. SD2022-0053

The Board met today at 1:40 p.m. to conduct a public hearing in the matter of a request by Daniel Caldwell for approval of a short plat for Basin View Subdivision #2, Case No. SD2022-0053. The result divides Block 1, Lot 1 of Basin View Subdivision into two lots. The request includes a waiver of subdivision improvements. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Dan Lister, DSD Planning Supervisor Carl Anderson, Daniel Caldwell, and Deputy Clerk Monica Reeves. Principal Planner Dan Lister gave the oral staff report. The property is zoned "R-R" (Rural Residential, two-acre average minimum lot size), and is located at 217 S. McDermott Road in Nampa (Parcel R30606100). It is located in the Nampa area of City Impact. Nampa Subdivision requirements must be met unless waived per CCCO §09-11-19(6). Comments from Nampa Engineering did not find the proposed subdivision inconsistent with the City subdivision requirements. The city deferred subdivision improvements. The County will not sign a final plat, or authorize the plat to be recorded, before the city engineer's signature is on the plat. The subject parcel has frontage and driveway access onto McDermott Road. A 60' easement is proposed along the north boundary as a shared driveway. The existing shared access located along the south boundary will continue to serve Lots 2 and 3 of Basin View Subdivision approved in 2018. The owner does not want to make the access a private road which requires the easement to be a road lot. Therefore, secondary dwellings or inhabited structures other than a primary dwelling on each lot are prohibited. Additionally, a road user's maintenance agreement shall be recorded before the approval of the final plat. There was a review of agency comments. The Planning & Zoning Commission heard the case at a public hearing held on July 11, 2024. After deliberation, the Planning & Zoning Commission recommended approval with the following conditions of approval:

1. All subdivision improvements (public roads, shared access, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
2. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected unless approved by the irrigation district.
3. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property.
4. The development shall comply with Southwest District Health (SWHD) requirements. Evidence shall be SWDH's signature on the final plat.
5. The development shall comply with the requirements of the Nampa Highway District. Evidence shall be Nampa Highway District's signature on the final plat.
 - a. Per CCCO §07-11-19(5), the county will not sign a final plat, or authorize the plat to be recorded, before the city engineer's signature is on the plat.
6. Compliance with the international fire code and fire district review of the access and turnaround is required. Evidence of compliance shall be submitted to DSD prior to the Board's signature on the final plat.
7. The shared 60' wide access easement shall have a recorded road user's maintenance agreement in accordance with CCZO §07-10-03(1)B3. The agreement with the instrument number shall be added as a plat note on the final plat.
8. Secondary dwellings or inhabited structures other than a primary dwelling on each lot are prohibited unless the subdivision is amended to include a road lot and a private road is established.

Daniel Caldwell testified in support of his application. The property has been in his family for a lot of years and he is still farming a piece of it. He split the first 7 acres from his parents and he completed all of the road work. There is ample room and road base for turnaround.

Commissioner Van Beek had questions regarding the engineer's review and access, specifically the driveway. Planner Lister said staff has received the required information and they were able to amend the plat which is what has been presented today. With regard to the driveway, he said this is the only division the Caldwells can have under the current zone, and their access is consistent with the City of Nampa's regulations; it is wide enough to accommodate future access roads. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Following the Board's deliberation, Commissioner Brooks made a motion to approve the preliminary plat for Basin View Subdivision No. 2, Case No. SD2022-0053, subject to the conditions of approval. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Van Beek

and the second by Commissioner Brooks, the Board voted unanimously to adjourn. The hearing concluded at 2:01 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2024 TERM

CALDWELL, IDAHO SEPTEMBER 13, 2024

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

- 4T Sports Bar to be used on 9/22/24 for the Tellez Horseraces

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Uplift Desk in the amount of \$6372.00 for the Facilities department (PO #6025)

MEETING WITH THE HARTWELL CORPORATION TO DISCUSS THE 2024/2025 RENEWAL TERMS

The Board met today at 11:37 a.m. with The Hartwell Corporation to discuss the 2024/2025 renewal terms. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Clerk Rick Hogaboam, Brian Baughman and Shannon Kinney with The Hartwell Corp. and Deputy Clerk Jenen Ross.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 11:38 a.m. pursuant to Idaho Code, Section 74-206(1) (d), (f) and (i) regarding records exempt from public disclosure, to communicate with legal counsel regarding pending/imminently likely litigation and to communicate with risk manager regarding pending/imminently likely claims. 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, Clerk Rick Hogaboam and Brian Baughman and Shannon Kinney with The Hartwell Corp. The Executive Session concluded at 12:44 p.m. with no decision being called for in open session.

At the request of Commissioner Holton, Mr. Baughman provided a brief synopsis stating that there is a 12.3% premium increase this year and the county will be staying with the carriers of

Travelers/Munich Re, Tokyo Marine. There was an option to decrease the premium thru a deductible, however, Mr. Baughman and Ms. Kinney do not feel that is the best move for the county at this time.

The Board is in favor of the recommendation made by The Hartwell Corporation and provided support for a formal proposal/contract to be prepared and forwarded to legal for review followed by Board consideration.

Commissioner Brooks motioned to adjourn the meeting at 12:47 p.m. The motion was seconded by Commissioner Van Beek and carried unanimously. An audio recording of the open portion of the meeting is on file in the Commissioners' Office.

SEPTEMBER 2024 TERM

CALDWELL, IDAHO SEPTEMBER 16, 2024

No meetings were held this day.

APPROVED CLAIMS

- The Board has approved claims 609414 to 609455 in the amount of \$16,707.70
- The Board has approved claim 609456 ADV in the amount of \$2,800.00

SEPTEMBER 2024 TERM

CALDWELL, IDAHO SEPTEMBER 17, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Northwest Land Services in the amount of \$5,600.00 for the Development Services department – Code Enforcement (PO #6094)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- William Brust, Emergency Communications System Administrator I
- Melody McCombs, Deputy Prosecuting Attorney I – Criminal
- Kitt Gorman, Inmate Control – Deputy Sheriff
- Christopher J. Wilcox, Deputy Prosecuting Attorney I – Criminal
- Monica Lucille Frasier, SILD Customer Service Specialist
- Chelsie Jean Engle, Dispatch Customer Service Specialist

- Delia Hanes, Deputy Prosecuting Attorney (reinstate on-call pay)

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 and Brad Holton, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Deputy P.A. Trent McRae, Assessor Brian Stender, Administrative property Appraisal Supervisor Greg Himes, Lt. Martin Flores (left at 9:33 a.m.), Director of Constituent Services Aaron Williams, COO Greg Rast, Realtor Norm Brown (left at 9:53 a.m.), and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Resolution Approving a New Alcoholic Beverage License for Bi-Mart Corp. dba Bi-Mart #628: Commissioner Holton motioned to amend the agenda to continue this action item to after the DSD meeting today. The motion was seconded by Commissioner Van Beek and carried unanimously.

Consider Services Agreement with Crime Stoppers of Southwest Idaho: This is the same agreement that has been in place the past several years; the only change is a slight cost increase from \$5700 to \$5820. Lt. Flores provided comments on the service Crime Stoppers offers and the continued relationship with CCSO. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the services agreement with Crime Stoppers of Southwest Idaho (agreement no. 24-107).

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 9:34 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Holton. Commissioner Holton took a roll call vote where he along with Commissioner 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. Laura Keys, Deputy P.A. Trent McRae, Assessor Brian Stender, Administrative property Appraisal Supervisor Greg Himes, COO Greg Rast and Realtor Norm Brown. Mr. Stender, Mr. Himes and Mr. Brown left the meeting at 9:53 a.m. The Executive Session concluded at 9:56 a.m. with no decision being called for in open session.

Consider Engagement of Services with Mark Pomykacz and Federal Appraisal, LLC for appraisal and related services regarding the CF Hippolyta/Amazon litigation: This agreement is to obtain a 3rd party determination of value. Assessor Stender indicated that if the outside appraisal is vastly different from Canyon County an adjustment will be made and the case can be settled, however,

if the appraisal is similar to the county's appraisal they will continue with litigation. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the engagement of services with Mark Pomykacz and Federal Appraisal, LLC for appraisal and related services regarding the CF Hippolyta/Amazon litigation (agreement no. 24-108).

Consider Agreement for Legal Services with William D. Shepherd, P.A. regarding the CF Hippolyta Nampa LLC/Amazon litigation: Prosecutor Taylor has provided a letter to Assessor Stender allowing for outside counsel in this case (a copy of the letter is on file with this day's minutes). Ms. Keys confirmed that the agreement has been reviewed by legal and there are no issues. She also provided explanation of how Mr. Shepherd was chosen as representation. Upon the motion of Commissioner Van Beek and second by Commissioner Holton, the Board voted unanimously to sign the agreement for legal services with William D. Shepherd, P.A. regarding the CF Hippolyta Nampa LLC/Amazon litigation (agreement no. 24-109).

Consider Legal Notice of Public Hearing for Assessor's Fee Increases for Title & Registration Administrative Fees: The Assessor's Office is working to ensure that the fees cover the costs of the title and registration administrative fees. A public hearing will be held on October 1, 2024 at 9:30 a.m. to receive comments. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the legal notice of public hearing for Assessor's fee increases for title & registration administrative fees. Copies of the draft resolutions and fee calculations are on file with this day's minutes.

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

MEETING TO DISCUSS DSD GENERAL BUSINESS

The Board met today at 10:30 a.m. to discuss DSD general business. Present were: Commissioners Leslie Van Beek and Brad Holton, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, DSD Office Manager Jennifer Almeida, Associate Planner Emily Kiester, Director of Constituent Service Aaron Williams, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, COO Greg Rast, Deputy P.A. Zach Wesley (arrived at 10:36 a.m.), DSD Planning Supervisor Carl Anderson (arrived at 10:43 a.m.) and Deputy Clerk Jenen Ross.

Today's meeting is a continuation of the discussions from last week about determining what is agriculture in terms of a usable definition and where does it apply. As presented by Ms. Keister last week there are multiple terms throughout county ordinance and state law that apply in different ways. Today's follow-up is related to Title 63, chapter 6, how agriculture and agricultural exemptions are determined. This statute is also used in the new state statute for agricultural planning area. They have been working to determine how much of this can be used as a proxy for some of the work they do in chapter 7 with non-viable. They've invited the Assessor's Office in today to talk about what this mean in their world and then follow-up with some recommendations

as to whether it does or doesn't apply in the land use world besides the state law that requires it and what does it look like.

Greg Himes gave a reviewed statute 63-604 which covers revenue and taxation and exemptions from taxation as follows:

(a) The total area of such land, including the homesite, is **more than five (5) contiguous acres**, and is actively devoted to agriculture, which means:

(i) It is used to produce field crops including, but not limited to, grains, feed crops, fruits and vegetables

(ii) It is used to produce nursery stock

(iii) It is used by the owner for the grazing of livestock to be sold as part of a for-profit enterprise or is leased by the owner to a bona fide lessee for grazing purposes

Individually, any of the above noted would qualify as ag use.

(iv) It is in a cropland retirement or rotation program.

Commissioner Holton spoke to some developers in the area who have disturbed the ground in order to put in infrastructure but then want to drill it with wheat or oats without any way to irrigate but still want the ag exemption. Additionally, land use cases are coming before the Board where a person has taken the ag exemption for years, may or may not have taken off a crop each year, and suddenly that ground is non-viable farm ground once they're in front of the Board and want to change the use. One part of county government is recognizing it as a productive piece of farm ground, receiving a tax consideration at the same time telling the Board that the ground is useless and the best and highest use is to put houses on it. Assessor Stender said that per Idaho code for them, it doesn't outline anywhere that you have to be a good farmer, just that the intent is to make a profit. Also, his office appraises to the actual and functional use: *"actual and functional use shall be a major consideration when determining market value for assessment purposes"* ... property could be zoned residential, industrial... if they are actually farming it, they will receive an ag exemption.

(b) The area of such land is **five (5) contiguous acres or less** and such land has been actively devoted to agriculture within the meaning of subsection (1)(a) of this section during the last three (3) growing seasons

(i) It agriculturally produces for sale or home consumption the equivalent of fifteen percent (15%) or more of the owner's or lessee's annual gross income

(ii) It agriculturally produced gross revenues in the immediately preceding year of one thousand dollars (\$1,000) or more. When the area of land is five (5) contiguous acres or less, such land shall be presumed to be nonagricultural land until it is established that the requirements of this subsection have been met

Mr. Himes said this is the majority of the ways people qualify for an ag exemption.

Commissioner Holton asked if some of this could be translated over into land use. Mr. Wesley said there is some potential for them to relate. The issue is that the default is that default zoning is ag, something has to be moved out of ag, that is sort of how the county plan is based. You don't have to meet a certain criteria to get into ag. Mr. Wesley believes that, specifically in the nonviable parcels, there could be a tie-in although he's not sure where it would directly apply.

Director Minshall spoke about complexities in the new state law regarding the APA (Ag Protection Act) in regard to agricultural production and preservation. Further discussion ensued regarding the following:

- Timeframe within the APA, that if it's adopted for 20 years there can't be any changes to zoning or laws affecting the adopted area.
- As part of the APA, the county will need to create its own ordinance while also staying consistent with the land use planning act.
- Options for land owners to voluntarily be part of the APA
- Wildland conservation

Commissioners Holton and Van Beek expressed their thoughts on how they feel this will be impactful to land use decisions.

The meeting concluded at 11:21 a.m. and an audio recording is on file in the Commissioners' Office.

CONTINUED ACTION ITEM TO CONSIDER A RESOLUTION APPROVING A NEW ALCOHOLIC BEVERAGE LICENSE FOR BI-MART CORP. DBA BI-MART #628

The Board met today at 11:24 a.m. to consider a resolution approving a new alcoholic beverage license for Bi-Mart Corp. dba Bi-Mart #628. Present were: Commissioners Leslie Van Beek and Brad Holton and Deputy Clerk Jenen Ross. Commissioner Van Beek said she has reviewed the application and it appears to meet all the criteria, she then made a motion to sign the resolution approving a new alcoholic beverage license for Bi-Mart Corp. dba Bi-Mart #628 (resolution no. 24-170). The meeting concluded at 11:26 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: REQUEST BY TANNER VERHOEKS OF HAVEN IDAHO FOR A CONDITIONAL REZONE OF APPROXIMATELY 43.95 ACRES, FROM AN "A" (AGRICULTURE) TO A CR-R-1 (CONDITIONAL REZONE – R-1 RESIDENTIAL) ZONE, CASE NO. CR2022-0005

The Board met today at 1:33 p.m. to conduct a public hearing in the matter of a request by Tanner Verhoeks of Haven Idaho for a conditional rezone of 43.95 acres, from an "A" (Agricultural) Zone to a CR-R-1(Conditional Rezone - R-1 Residential) zone, Case No. CR2022-0005. Present were: Commissioners Brad Holton and Leslie Van Beek, Deputy PA Zach Wesley, DSD Director Sabrina Minshall, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Michelle Barron, In Favor:

Tanner Verhoeks, Emily Nied, Jenallee Udy, Cody Ellis, Justin Ruthenbeck, Hethe Clark, Isaac Josifek, and Robbie Reno, In Opposition: DeWight Hagel, Ted Zahradnicek, Russell Johnson, Curtis Kessel, Luis Chavolla, Cynthia Atnip, Gary Geyer, Jim Danes, Larry Peterson, Sue Marostica, Victor Marostica, other interested citizens, and Deputy Clerk Monica Reeves. Deputy PA Wesley summarized what the Board requested from the applicant at the conclusion of the February 8, 2024 hearing. The applicant was asked to return with additional information regarding the viability of 29 septic systems on the property and how far they will migrate to any of the adjacent surface wells; address the concern about whether the ground would leach from the septic systems; obtain response times for fire, police and ambulance; and address the viability of the responsibility for schools. Testimony will be taken on those limited issues and the materials that have been provided by the applicant. The hearing will not be reopened from scratch; it's a continuation to talk about those narrow topics.

DSD Principal Planner Michelle Barron gave the updated staff report and noted that she inadvertently attached a public comment that was not intended for this application, and she asked that Exhibit G2 be removed from the staff report. On February 8, 2024, the Board heard the case and requested additional information to be brought forward, and today the applicant is back with that requested information. There was a review of the hearing criteria the Board must consider. The request includes a development agreement to limit residential development to 29 buildable lots with a public water system. The preliminary plat has been put on hold until a decision has been made for the conditional rezone. There was a review of agency comments and property owner comments. DSD Planner Barron summarized the areas the Board wanted additional information on:

- Address the viability of 29 septic systems.
- How far the septic would migrate to any of the other surface wells that are immediately adjacent?
- Address the Board's concerns about basalt, lava, and other rock close to the surface.
- Response times of fire, police, and ambulance.
- Address the viability of the applicant's responsibility for schools.
- Staff was requested to bring back draft conditions for a development agreement.
 - The applicant has additional recommended conditions they will address during their presentation

Regarding the proposed conditions, Commissioner Van Beek said she had suggested no secondary homes, but this would allow for a secondary dwelling with a nutrient pathogen study and that was not the proposal.

The following people testified in support of the request:

Tanner Verhoeks testified that they are confident the land will support 29 new septic systems. They completed a geotechnical investigation; they dug 18 test pits. The minimum rock depth was 4 ½ feet and the maximum rock depth was nearly 14 feet. The average rock depths are just over 8

feet which is more than adequate to support a traditional septic system. They performed a level one nutrient pathogen study, and the report was sent to DEQ and SWDH for review. They had a predevelopment meeting with SWDH and discussed details for the septic systems and because they are in a nitrate priority area, their septic systems will receive additional scrutiny and will have to meet a more stringent point of compliance for nitrate concentration levels. Standard septic systems such as the older ones on surrounding properties simply dump nitrates into the ground and the nearby dairy plays a large role in this; however, the septic systems proposed for this project are 60% nitrate reducing systems (advanced treatment systems). The proposed drain field locations are designed based on groundwater flow direction to avoid any point concentrations, and before any building permit is issued they will do more physical testing for each lot. SWDH is present for that test pit and only if they approve the soil conditions and septic design do they get a building permit for that lot. If a lot will not support a proper septic system then sanitary restrictions are not lifted for that lot, and it cannot be built on. Their proposed water users' association has the authority and responsibility to make sure what they build works as designed well into the future. Properly installed systems will have a negligible impact on surrounding surface wells in accordance with DEQ guidelines. Mr. Verhoeks testified that the Kuna Rural Fire District provided updated information about a new station that's going through entitlements that will improve already adequate response times. EMS provided a list of stations in the service area and quoted response times between 12-15 minutes as well as their funding goals to further improve response times. Police did not respond after multiple inquiries, and per County code a lack of response must be considered approval of the application. There is a history of correspondence from the agencies and the responses have been consistent throughout; each agency reports adequate coverage for the project. There has been written testimony from the school district and verbal testimony from the administration and teachers about why they support this project but what hasn't been heard before was the metrics and technical data as to why they can support the new students from this project. The letter from the school district includes the forecast number of students for this project, which is 14 students, along with current capacity levels at the elementary, middle, and high schools the students would attend. They also provided additional context on the long-term planning, how the project fits into the plan and reaffirmed that they are able to serve the students generated from this project. The letter marks the school district's sixth positive affirmation of this project. Regarding secondary houses, Mr. Verhoeks testified that per their updated draft development agreement secondary houses are fully restricted. Condition No. 5 of the updated agreement ensures all technical issues are septic systems are implemented. Condition No. 9 adds additional detail around the water users' association and the board that will govern it. They are trying to be very responsible and intentional when it comes to water resources and in lieu of a standard homeowners association their plan is to institute a formal water users' association that will be privately funded and available to neighboring landowners and operated based on assessments required in the CC&R's. It will be in charge of running the community water system, including retaining a certified operator; it will maintain the landscaping around the community well site; maintain the holding pond, pump equipment, and landscaping at the pond site for the pressurized irrigation; and ensure the advanced treatment septic systems on site operate as designed by retaining a certified operator. The development agreement creates the framework for this, and they plan to further flush out the details and legal documents at the preliminary plat phase. Mr. Verhoeks testified that the eight standards are evaluation are being met and they have provided

example language that can be used in the FCO's should the Board agree the project meets the standards. Following his testimony, Mr. Verhoeks responded to questions from the Board.

Robbie Reno offered testimony as an agent of the Kuna School District Board. He stated that developers come into the community and do not often involve the schools, but this developer has worked with the school district to provide a good opportunity for the kids. They are a model developer for working with the schools and he encourages all developers to do that. He hopes the project moves forward. Regarding the student generation rate, he stated that Tischler Bisch did a study 3 years ago and their generation rate is .52 students per single family and for multi-family it's .41; 29 homes at that generation rate equals 14 students. Following his testimony, Mr. Reno responded to questions from the Board.

The following people testified in opposition to the request:

Dwight Hagel testified about his concerns regarding the addition of 29 septic systems and the negative impacts on the aquifer and traffic. He also has safety concerns with the canal that goes through the property.

Ted Zahradnicek testified that he has lived adjacent to the subject property for 40 years and he is opposed to the project having 29 septic tanks and a public water system because it will cause adjacent wells to go dry. He would prefer the project utilize city services. He is concerned with houses being developed on farmland, especially in the middle of an agricultural area. He spoke about plans for the widening of Robinson Road and traffic issues in the area which impact EMS response times. He spoke of an emergency where he called 911 and it took 30 minutes for an ambulance to arrive. Following his testimony, Mr. Zahradnicek responded to questions from the Board.

Curtis Kessel testified about his concerns with septic systems. He had to use a jackhammer to dig fence post holes on his property and spoke about how 29 loads of rocks were removed from a high spot in his pasture. The land has big rocks and a lava bed and it's not safe or sanitary to put 29 septic tanks in this small of an area. He said the water pipe they intend to use was put in for agricultural use not to supply 29 homes with water.

Gary Geyer is opposed to the addition of 29 septic system drain fields. His house was built in 1973 and 4 years ago his septic tank collapsed so he installed a new one which is now sitting on top of the ground. He wanted to put a new drain field in, but the backhoe could only get down three feet and the inspector said they could install the septic tank and put mounds of dirt over it to have six feet from the top to the bottom of the drain field, but Mr. Geyer didn't do that; they went back to the old one and so far, it's still holding. Lava is all over and he questions how deep they can place the drain fields. Following his testimony, Mr. Geyer responded to questions from the Board.

Jim Danes testified that his house was built in 1975, and they had a problem 10 years ago with raw sewage coming up in the backyard. They drained his septic tank and it was a mess. The tank had holes so they went through the health department and made a plan and when they dug up the

old tank they found that a lava shell was 2 ½ feet below the ground and years ago the drain field pipe was put on top of it. In order to put the tank in and get below that shell, he had to rent a large backhoe and dig through the shell before they got to loamy soil that would properly drain. The subject property will not be any different, and he questions how the developers are going to address that.

Larry Peterson testified that the developer always presents the best-case scenario and, in this case, he believes their arguments for a public water system and septic systems, as well as the impacts on the school district are all best-case scenarios. He said he performed the pump test in the late spring/early summer when the canals and ditches were full and other pumps in the area weren't pumping much and claimed there was very little impact to the water table, but the worst-case scenario will be when we have a dry year and the pressurized irrigation is shut off in late August and the houses start pumping from the public water system to irrigate their landscaping and instead of pumping 400 gallons per day it will be 6,000-8,000 gallons per day and the impacts to the existing wells will be devastating. The ground is not ideal for septic systems and they will have serious issues. Once a municipal water system and wastewater system are available it may be a different scenario but until then, Mr. Peterson believes it will be a disaster for the existing residents. He is disappointed that Commissioner Brooks did not participate in the hearing. Commissioner Holton said Commissioner Brooks recused himself due to a conflict of interest.

Sue Marostica testified about a neighborhood with shared wells that has experienced water problems for years and is on the city's top priority list for connection to city services due to the issues with wells and septics. She testified that some of the builder associations wanted to bring a lawsuit against the Kuna School District because they are only welcoming subdivisions that are paying, but none of what they are doing will help build new schools and that is her major concern. She agrees with the neighbors' testimony about the water and septic concerns in the area.

Lee Nichols agrees with the testimony that has been given.

Deputy PA Wesley made a point of clarification for the record that the map that was referred to is the map that's in the PowerPoint presentation provided by staff, slide #12. Planner Barron said the subject property is approximately two miles from Nampa city services.

Rebuttal testimony was offered by Hethe Clark who said there are 13 subdivision and 140 lots in this area, which has already been planned by the County for residential use as designated by the comprehensive plan. If this property were to wait for the City of Nampa to bring services two miles and be annexed, the density would quadruple because the city cannot economically serve one acre lots or ¼ acre lots. This project helps transition and buffer that change. There was testimony about rocks and the lava rock interfering with plows, and so it doesn't sound like the property that should stay in largescale agriculture. Decisions have to be made based upon substantial and competent evidence in the record. The Supreme Court has been consistent in saying, including in the Hungate vs. Bonner County case, that preservation for appeal also requires more than just supposition as to a particular issue. Regarding the septic systems, the matter has

been fully investigated at a stage far earlier than is typical for a subdivision and the data shows the property can handle the septic system. SWDH has to review and approve each septic site, which the evidence shows is likely to happen. The applicant has provided assurances far beyond what is typically required for any subdivision in the form of their development agreement and the commitments they made. They dug 18 test holes, they know what the depths are, and they are confident they can meet SWDH requirements. Regarding water, they have talked about the additional requirements that have to be met in order to do a community water system and they have discussed doing a monitoring well and working with the Idaho Department of Water Resources to monitor levels. Water studies were done in the early spring and the levels were consistent as previously testified to by Terry Scanlan. There is adequate water. The Kuna School District has said it can serve the project's students. The development agreement reinforces the commitments and arrangements they have made.

Cody Ellis responded to questions from the Board regarding the test holes and how they will work with SWDH on the septic systems.

Tanner Verhoeks stated there are multiple checkpoints for septic systems and if they all fail then the lot will not get a septic or a house.

There was further review and discussion of the proposed conditions.

Regarding the applicant's commitment to be accountable to DEQ and SWDH, Mr. Clark said some of these items are required regardless and, in that case, their public water system is subject to an elevated level of review and oversight and they have to have a qualified operator to run that system. SWDH will review the initial installation of those septic systems, and what the developer is doing with the water users' board is to put an onus on them that all of those obligations are satisfied moving forward.

Deputy PA Wesley said the conditions would accomplish what is being proposed with a public water system and they are going to require agency approvals. This is more detail than we normally get about how it will be administered going forward but the detail is helpful. Perhaps another condition would be to have the O&M manual ready at the time of preliminary plat.

Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to close public testimony. The Board's deliberation on the eight (8) criteria 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?* Commissioner Van Beek said the 1.67-acre lots are much smaller than the surrounding lots at 5 acres, and this is an area that

could be evolving toward a different zone classification but it's still pretty open. Commissioner Holton said all surrounding land uses consist of much larger parcels. He is on the fence for this question because of the other 13 subdivisions in the general area.

3. *Is the proposed conditional rezone compatible with surrounding land uses? And 4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?* Commissioner Holton said it's a more intensive use than the surrounding uses. The rezone would be pieces of land that would not be used incidentally for agriculture where some of the lots definitely can be. Commissioner Van Beek said there is a section that looks to be one mile northwest of this area that is emerging, and it is in proximity of the Stewart Dairy. Commissioner Holton said it is low density residential, and if you look at the map that's just below that it gives the lot lines so you can see what the land divisions are. Commissioner Van Beek said the average lot size overall is significantly larger.
5. *Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed conditional rezone?* Commissioner Holton said they have met the burden of proof and made plans to adequately address the facilities and services of sewer, water, and drainage. Commissioner Van Beek asked if the report satisfies Commissioner Holton's request for information on whether the septic systems would have adequate drain fields, etc. He said it does and said they do not deny there is basalt below the ground. They have said they may not be able to develop all 29 lots because there may be a lot that is so difficult to deal with the basalt that it has to forgo a septic system which would mean no building permit. They have demonstrated they brought in a geotechnical engineer and have a concept of what they are up against and they are contractually tying themselves to DEQ and SWDH standards which makes that association very accountable. He is aware of the enhanced capabilities of septic systems and he has little to no faith in them if there isn't a plan for ongoing supervision and maintenance. The developers have demonstrated they recognize the issue and the challenge, and they have a long-term plan that makes them accountable to the same public agencies. They have demonstrated they have a plan to mitigate it that it would be adequate. Commissioner Van Beek said there was testimony from Mr. Danes about how they put mounds over the drain field, but that is not a viable solution. Commissioner Holton said they will be held to the standards of SWDH on how the design will be handled. Commissioner Van Beek said as to the efficacy of community systems, she's heard they fail and there are maintenance issues with them. Commissioner Holton said there is no comparison in the overall performance when comparing 29 wells to one well that is engineered and designed with redundant systems to operate. Commissioner Van Beek wants to make sure what we approve is appropriate given the proximity to the city. It is essential to have a functional drain field.

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? What measures have been taken to mitigate road improvements or traffic impacts?* Commissioner Holton said they have proposed mitigation for that. Commissioner Van Beek said it is recognized there is increased traffic to the area and there are road improvements underway.
7. *Does legal access to the subject property for the development exist or will it exist at the time of development?* The Board finds legal access does exist.
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?* Commissioner Van Beek appreciates that the Kuna School District is looking for the career technical education portion of that but she doesn't know that the ability to provide that kind of hands-on vocational labor answers the question that it mitigates the load on the school system. The high school is at capacity and modular buildings are not a good option. She spoke about EMS response times in rural areas and with the additional traffic and road construction it could be a matter of life or death. It has not been mitigated in her mind. Commissioner Holton said he was not presented with overwhelming evidence that the application would flip the response times significantly one way or the other. Police, fire, and other EMS chose not to give an opinion that was derogatory towards the project.

The Board had questions for staff regarding the P&Z Commission's recommendation and draft FCO's. The Board was in recess from 3:56 p.m. to 4:06 p.m.

The Board found the request meets criteria Nos. 1, 5, 6, and 7. There was further discussion of the criteria that had been reviewed.

Commissioner Van Beek has concern with introducing an R-1 designation in a transition area in agriculture. Commissioner Holton agrees that it's a reach to go from 3.32 acres down what is proposed. He said the neighbors are concerned about density but it will become much denser when the city gets there. This is one of the better subdivisions proposals he has seen. Commissioner Van Beek likes the proposal, but there is still the question of is it more appropriate. She wishes the application met the rural residential definition because on the south that's exactly what it is. There were recommendations from the P&Z Commission that the applicant could have brought back that would have helped mitigate the concerns on some of those parcels where the surface to basalt was identified as less than average for a septic system. The proposed acreages are not compatible. The introduction of R-1 will create the potential for more approved subdivisions and it will set a precedent. It is difficult to deny a request that has merit, but it is the Board's job to evaluate the testimony and evidence. The right application would have been for a rural residential designation. Commissioner Holton agrees. He heard the neighbors' concerns

about septic systems, but said the applicant went beyond showing how they would mitigate that and set the development in a position that their septic systems would be far superior to the ones that surround the property. Regarding the concerns about density, he spoke about how the neighborhood will change when the city gets to the area and he suggested the neighbors work with a developer to reach a compromise.

Following deliberation, Commissioner Holton made a motion to deny the application and instruct DSD staff and Legal to provide FCO's which will be considered at another meeting. The motion was seconded by Commissioner Van Beek. DSD Planning Supervisor Anderson asked the Board to indicate what the applicant could do to obtain approval. Commissioner Holton said the applicant can work with the surrounding landowners to make an amenable subdivision or at least be reconsidered in the two-acre or larger plan the County has. Commissioner Van Beek said the proposal needs to be rural residential because this is a rural area, and an increased lot size would allow a greater margin for a challenging area where individual septic systems are proposed. The request is compatible with the land uses to the north, but not to the south and the EMS response times are outside of standardized times, and the entitlements for a fire station have not been granted. It is an issue of timing. The motion carried unanimously. The hearing concluded at 4:37 p.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2024 TERM

CALDWELL, IDAHO SEPTEMBER 18, 2024

APPROVED CLAIMS

- The Board has approved claims 609542 to 609582 in the amount of \$180,234.11

PUBLIC HEARING: REQUEST BY JOE RUMSEY FOR APPROVAL OF A PRELIMINARY PLAT, IRRIGATION AND DRAINAGE PLAN FOR HORNET COVE SUBDIVISION, CASE NO. SD2022-0024

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Joe Rumsey, for approval of the preliminary plat, and irrigation and drainage plan for Hornet Cove Subdivision, a seven (7) residential lot development with an average lot size of 2.08 acres, Case No. SD2022-0024. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Deb Root, DSD Planning Supervisor Carl Anderson, Joe Rumsey, Terrel McHenry, and Deputy Clerk Monica Reeves. Principal Planner Deb Root gave the oral staff report. The subject property consists of 16.19 acres, Parcel R37877011B is zoned "R-R" (Rural Residential) and is located on Monarch Road, 200 feet south of the intersection of Swallowtail and Monarch Roads in Middleton. The property is zoned rural residential, there were no restrictions on secondary residences therefore the current lot configuration could potentially end up with 14 houses and staff recommended the road be paved for that reason. The Notus-Parma Highway District approved the access location for the proposed private road, Yellow Jacket Lane to Monarch

Road. Monarch Road serves the adjacent development, Butterfly Ridge. Yellow Jacket Lane is proposed to be a private gravel road. Seven lots have entitlements for 14 total residences under the current zoning code and exceeding the potential 100 average daily trips. The applicant has proposed deed restrictions and/or a final plat note as paving of the road is a barrier to development for him. The County Engineer indicated that the drainage plan for the roadside swales should provide for erosion control details with rock dams as part of the measure to slow velocities. A crossing agreement is required for Lot 5, Block 1 to access the portion of the lot south and east of the buried lateral-CGE 1.1-4.3-0.2. The property is located within Black Canyon Irrigation District (BCID) boundaries and surface water rights are available to the property. The rights have not been forfeited or transferred in accordance with state statute requirements. A challenge with the irrigation plan is the open ditches running to supply and drain both sides of the road; it will require a two-culvert access to every lot to contain the stormwater drainage and one for irrigation, either drainage or supply. The plat is in substantial conformance with the requirements of the preliminary plat submittals, but there are many things that need to be addressed during the construction drawing phase. The P&Z Commission recommended approval with conditions. Following her report, Ms. Root responded to questions from the Board.

Joe Rumsey testified in support of his request and said the parcel is a poor piece of land that cannot be farmed and it does not irrigate very well and the only thing he can do is put houses on it. Paving of the road will be a deal breaker for him which is why he signed a deed restriction to limit the development to seven residences which kept him below the threshold to asphalt the road. County code allows someone to potentially build another house but he could have CC&R's that require anyone who wants a secondary residence to pave the road ahead of them and beyond their driveway. He initially had problems locating the laterals but it has been resolved. They have a crossing agreement on one road and are waiting for the final plat for the crossing agreement for the other lot.

Planner Root said when staff took the application to the P&Z Commission there wasn't a deed restriction. Rural residential zoning provides for secondary residences on parcels that can meet the requirements of the code and other agencies, therefore, staff required compliance with the private road and driveway code and they recommended paving and the P&Z Commission upheld that recommendation. Mr. Rumsey recorded the deed restriction after the P&Z Commission hearing and so the Board needs to determine if it wants to place restrictions on the development indicating the deed restriction is sufficient to only have seven homes. She noted deed restrictions are difficult for staff to catch or enforce and they are easily missed. It could be a final plat note, or a deed restriction, or it can be in the CC&R's.

Commissioner Holton asked about having a development agreement to close the door for accessory dwelling units or lot divisions in the future. DSD Planning Supervisor Anderson said the applicant received a straight rezone which is why staff recommended the road be paved at time of the plat because it was entitled for up to that secondary residence. The staff report outlines some options as alternatives to the road paving. Commissioner Holton asked Mr. Rumsey if he is opposed to paving the road even though it has a 10% grade? Mr. Rumsey said it would be cost

prohibitive to pave the road and he would not be able to proceed further if he has to pave it and it will complicate things a great deal which is why he prefers a deed restriction.

Terrel McHenry testified in opposition to the request due to concerns about overpopulation, traffic issues, and light pollution. He said Mr. Rumsey wrote a letter of intent 2-3 years ago for one house per four acres, but now it's down to two acres. The countryside is gorgeous and being decimated by overpopulation and development and he is very concerned about the destruction of the wildlife habitat. He believes overpopulation and additional wells will destroy the environment and the quality of life.

Joe Rumsey offered rebuttal testimony and said all traffic is on Monarch Road, not Goodson Road; and for his ingress/egress, all traffic will go up to Monarch Road. He said the lights and traffic on Farmway Road are no reflection on what is occurring on the subject property and it's unlikely that seven houses will make a big difference in the lighting situation that Mr. McHenry referenced.

Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to close public testimony. Commissioner Van Beek said she has a difficult time varying from the P&Z Commission's conditions of approval. Having the road system inconsistent with the access point is not advantageous to those who would buy there, and she is not in favor of a gravel road. There are questions about whether the project is entitled to 14 homes or 7 homes. Commissioner Holton has concerns about the irrigation and drainage issues. Commissioner Brooks said the applicant's letter stated they were going to petition the irrigation district to relinquish the water rights and so he is confused with the plan to have multiple culverts if we're not going to have water going to the lots. Planner Root said the applicant has had ample time to work with the irrigation district to relinquish those rights but he has not done so and therefore he had to have the irrigation plan in place and he chose to have it as an open surface ditch rather than a pressurized irrigation plan. Because of the accesses and how each lot has to be provided water lends itself to a different system, but that is not what was proposed and the plat complies with the state statute and County code for irrigation. It's challenging to think each individual lot owner will be able to utilize the irrigation. Commissioner Van Beek said this is minimally compliant and there has to be a better design. She said the Board could impose a condition that either a pressurized irrigation system be provided prior to submission of the final plat, and/or that proof of relinquishing the water rights back to BCID. The water rights are currently being sold to farmers downstream. Commissioner Brooks is okay with what staff has presented as far as limiting the development to seven residences, and he is okay with a gravel road because potential buyers will choose whether they want to live there with a road that is not paved. He also supports a condition for a pressurized irrigation system. Commissioner Holton said they have encroached into the 60-foot irrigation easement and that's a flawed detail. Planner Root requested the Board table the hearing to fix some issues and verify with BCID that there is an encroachment. Commissioner Holton does not want to approve a gravel road with a 10% grade; the road should be paved. Commissioner Van Beek doesn't want to hear this again unless the resources are there to provide the infrastructure that's going to carry this project into the future.

DSD Planning Supervisor Anderson summarized the issues the Board wants the applicant to address with their representative/surveyor or with DSD staff:

1. Paving of the road and the options available there; staff will explore with Legal the option for development agreement further beyond the rezone.
2. Encroachment of the turnaround into Black Canyon Irrigation District's easement; the applicant needs to work with BCID to ensure that it's outside of the easement.
3. Exploration of either a pressurized irrigation system or relinquishment of the water right, etc.

Commissioner Holton said there is a water problem out there so he does not want to give up irrigation rights on the lots and tell people to pump on their domestic well because he is sensitive about domestic wells sucking up the aquifer. Mr. Anderson recommends continuing the hearing to a date uncertain and have the applicant reach out to DSD staff within 90 days. Commissioner Holton made a motion to continue the hearing to a date uncertain to allow for staff to receive additional information on the areas of concern as delineated by DSD Planning Supervisor Carl Anderson. The applicant shall provide a status update to DSD staff within 45 days. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 2:40 p.m. 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 3:05 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, COO Greg Rast, Assessor Brian Stender, Chief Deputy Assessor Joe Cox, and Realtor Norm Brown. The Executive Session concluded at 3:17 p.m. with no decision being called for in open session.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(E) TO CONSIDER PRELIMINARY NEGOTIATIONS INVOLVING MATTERS OF TRADE OR COMMERCE IN WHICH THE GOVERNING BODY IS IN COMPETITION WITH GOVERNING BODIES IN OTHER STATES OR NATIONS

Commissioner Van Beek made a motion to go into Executive Session at 3:34 p.m. pursuant to Idaho Code, Section 74-206(1) (e) regarding preliminary negotiations involving matters of trade or commerce. 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 Joe Cox, Certified Property Appraiser Supervisor Holly Hopkins, Robin Sellers with the City of Nampa, Representatives for Project Spud, COO Greg Rast. The Executive Session concluded at 4:39 p.m. with no decision being called for in open session.

SEPTEMBER 2024 TERM

CALDWELL, IDAHO SEPTEMBER 19, 2024

APPROVED SEPTEMBER 20, 2024 PAYROLL

- The Board approved the September 20, 2024 payroll in the amount of \$2,446,865.33

APPROVED CLAIMS

- The Board has approved claims 609457 to 609488 in the amount of \$38,738.71
- The Board has approved claims 609489 to 609541 in the amount of \$373,361.19
- The Board has approved claims 609583 to 609624 in the amount of \$115,238.29
- The Board has approved claims 609625 to 609665 in the amount of \$243,558.07
- The Board has approved claims 609666 to 609699 in the amount of \$51,373.46
- The Board has approved claims 609700 to 609716 in the amount of \$11,885.00
- The Board has approved claim 609717 in the amount of \$3,200.00
- The Board has approved claims 609718 to 609755 in the amount of \$357,952.21
- The Board has approved claims 609756 to 609796 in the amount of \$268,157.04
- The Board has approved claims 609797 to 609824 in the amount of \$196,451.89
- The Board has approved claims 609825 to 609826 in the amount of \$357.00
- The Board has approved claims 609827 to 609848 in the amount of \$66,854.20

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Greg Himes, Chief Deputy Assessor
- Colleen Lorenz, Temporary Hire for Elections Office

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 9:15 a.m. to consider matters related to Indigent Services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Indigent Services Yvonne Baker, COO Greg Rast and Deputy Clerk Jenen Ross.

Case no. 2024-39: An application for cremation assistance was received for a decedent who passed on 8/29/24. Indigent Services was able to determine that the decedent was employed prior to

passing but they were unable to confirm the amount of last deposit. Based on income and expenses, the decedent does not have the \$1000 for cremation costs and meets eligibility requirements for indigency. Bowman Funeral home will not accept the body until payment is determined so the body is being held in the Canyon County morgue. Indigent Services noted there is a ring and a phone but have not been able to determine possession of those items; additionally, there seem to be family members involved. Commissioner Holton made a motion with the evidence that has been presented this morning that this case is remanded to the Treasurer for her to do what she is statutorily authorized to do and seize the assets as enumerated this morning and if that doesn't work to come back before the Board. The motion was seconded by Commissioner Van Beek and carried unanimously.

Case nos. 2008-41 and 2015-1342 have been paid in full and Indigent Services is requesting releases of lien be signed. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the releases of lien on the cases as presented.

The meeting concluded at 9:24 a.m. and an audio recording is on file in the Commissioners' Office.

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, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley (arrived at 9:36 a.m.), Clerk Rick Hogaboam, Director of Court Operations Jess Urresti (left at 9:42 a.m.), Director of Constituent Services Aaron Williams, Elections Specialist Robin Sneegas (left at 9:42 a.m.), Elections Specialist Lucy Lanning (left at 9:42 a.m.), Lt. Martin Flores (arrived at 9:41 a.m. and left at 9:49 a.m.), COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a Resolution Designating Polling Locations for the November 5, 2024 Election: These polling locations are similar to what was used for the May election with the addition of a 3rd early voting location at SWDH. Early voting will be available at the Idaho Hispanic Community Center, Caldwell Elks and SWDH and absentee ballots will start going out Friday. Registration continues to grow and the Elections office is anticipating 80% turnout. Early voting will be available 8:00 to 5:00 Monday thru Friday, October 21st to November 1st. Clerk Hogaboam spoke to some of the logistics of preparing voters for the election and the actual action of voting. In total there are 51 precincts with 45 polling locations. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution designating polling locations for the November 5, 2024 election (resolution no. 24-171).

Consider Treasure Valley Digital Forensic Task Force Cost Share Agreement for Cellebrite Pathfinder and Guardian Software: The signature page that contains the Caldwell Mayor's signature is

currently missing, he indicated it had been sent electronically but at this time it cannot be located. Commissioner Holton made motion to tentatively approve today and if the document can't be located with the Mayor's signature it will come back before the Board on Thursday to consider another option, in the meantime if the document is located with the signature the contract is in full effect. Commissioner Van Beek seconded the motion with questions to which Lt. Flores provided a brief history of this agreement. Last year this agreement was presented to CCSO as a cost sharing with other area agencies but came in higher than anticipated so the county declined to participate at that time. The county was asked again this year to join in conjunction with the cities of Caldwell and Nampa so there will be a 3-way cost sharing for the Digital Forensic suite, however, the county's portion will be slightly higher due the equipment that will need to be purchased. The contract will need to be renewed annually, it is not an automatic renewal. Lt. Flores said that both Nampa and Caldwell have had fruitful results in the past year while using the system.

Commissioner Van Beek made an additional motion to sign the Treasure Valley Digital Forensic Task Force Cost Share Agreement for Cellebrite Pathfinder and Guardian Software. This motion died for lack of second.

A vote was taken on the original motion which carried unanimously. See agreement no. 24-110.

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 9:50 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. Oscar Klaas, Clerk Rick Hogaboam, and COO Greg Rast. 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.

MEETING TO CONSIDER CERTIFICATION OF LEVY RATES AND AN ACTION ITEM

The Board met today at 10:05 a.m. to consider certification of levy rates and an associated action item. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Clerk Rick Hogaboam, Controller Kyle Wilmot, Sr. Systems Analyst Steve Onofrei, HR Director Marty Danner, Treasurer Jennifer Watters, Accounting Specialist Syndi Whitmire, Auditing Supervisor Sarah Winslow, Coroner Jennifer Crawford, Parks Director Nicki Schwend, CCSO Financial Manager David Ivers, Lt. Martin Flores, Judge Davis VanderVelde, Assessor Brian Stender, Director of Juvenile Probation Elda Catalano, Director of

Misdemeanor Probation Jeff Breach, Director of Juvenile Detention Sean Brown, Landfill Director David Loper, DSD Director Sabrina Minshall, Director of Constituent Services Aaron Williams, PA Office Manager Melinda Longoria, and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider a Resolution to Set Tax Levy Rates for all Taxing Districts in Canyon County: This resolution has been prepared by Mr. Onofrei and reviewed by legal. Today is the last day to certify and send to the State Tax Commission. Mr. Bazzoli spoke about his interaction with the Clerk's Office regarding this document and has no issues. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution to set tax levy rates for all taxing districts in Canyon County (resolution no. 24-172).

The meeting concluded at 10:08 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH HR REGARDING FY2025 COMPENSATION

The Board met today at 10:08 a.m. for a meeting with HR regarding FY2025 compensation, and to consider a resolution approving FY2025 compensation and employee salaries. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, Chief Civil Deputy Aaron Bazzoli, Deputy PA Zach Wesley, Clerk Rick Hogaboam, Controller Kyle Wilmot, Sr. Systems Analyst Steve Onofrei, HR Director Marty Danner, Treasurer Jennifer Watters, Accounting Specialist Syndi Whitmire, Auditing Supervisor Sarah Winslow, Coroner Jennifer Crawford, Parks Director Nicki Schwend, Sheriff's Financial Manager David Ivers, Captain Ray Talbot, Lt. Martin Flores, Judge Davis VanderVelde, Assessor Brian Stender, Juvenile Probation Director Elda Catalano, Director of Misdemeanor Probation Jeff Breach, Director of Juvenile Detention Sean Brown, Landfill Director David Loper, DSD Director Sabrina Minshall, Constituent Services Director Aaron Williams, PA's Office Manager Melinda Longoria, and Deputy Clerk Monica Reeves. Director Danner reviewed the salaries for every department and office showing what the COLA is and if there are market adjustments included. COO Rast said the if you are eligible for the market adjustment that went through the budget you will not get the COLA, unless the market adjustment doesn't equal 2.5%, then you will get that 2.5%. Clerk Hogaboam said the number shown on the Treasurer's spreadsheet is the net cost to salary. The compensation program for the Treasurer's Office was \$16,000 in the approved budget, but it's \$9,000 on the spreadsheet but that does not include the benefit load. The resolution approving elected officials' salaries was approved on August 28, 2024. Commissioner Holton said over the years the COLA multiplier had been applied to the specialty pay on some but not on others so it was time to refresh the entire system. COO Rast said historically with compensation it's been a challenge trying to separate the base pay and specialty and try to validate all of it, but Director Danner is working with ADP to split out specialty pay. Clerk Hogaboam said their goal was to have the compensation implemented on October 1st pending approval of the blue sheets/employee status change forms. The new positions will be a delayed discussion for one position in January and February for the other positions. Commissioner Holton made a motion to approve what has been presented concerning the COLA's and delineation of the

specialty pay changes and the market adjustments and that Legal will follow-up with a written resolution substantiating the verbal motion of the approval so that the Clerk and HR can proceed with knowing what's been presented has been approved by the Board. The motion was seconded by Commissioner Brooks and carried unanimously. (Resolution No. 24-174.)

The Board approved employee status change forms for FY2025 market adjustments for the **Assessor's Motor Vehicle Department:**

- Norma Centeno, Customer Service Specialist
- Jennifer Zapata, Customer Service Specialist
- Penelope Martinez, Customer Service Specialist
- Victoria Hampton, Sr. Customer Service Specialist
- Lola Andrews, Assistant Motor Vehicle Supervisor
- Cassandra Bertram, Assistant Motor Vehicle Supervisor
- Kimbra Asqueta, Motor Vehicle Supervisor
- Mary Miller, Customer Service Specialist
- Cortney Bravo, Customer Service Specialist
- Brenda Barrie, Customer Service Specialist
- Kellie Arte, Customer Service Specialist
- Melicah Andersen, Customer Service Specialist
- Colyn Young, Customer Service Specialist
- Heather Burton, Customer Service Specialist
- Mikaela Watkins, Customer Service Specialist
- Rebecca Brumbelow, Customer Service Specialist
- Misty Mitchell, Customer Service Specialist
- Kelsey Oviedo, Customer Service Specialist
- Jaycee Aldous, Customer Service Specialist
- Ashley Jordan, Customer Service Specialist
- Aubree Hernandez, Customer Service Specialist
- Amber Smith, Sr. Customer Service Specialist
- Ryki Bowen, Customer Service Specialist
- Tiffany Avila, Customer Service Specialist

The Board approved employee status change forms for FY2025 market adjustments/COLA/specialty pay for the **Assessor's Reappraisal Department:**

- Paul Prohl, Sr. Certified Property Appraiser
- Nicole Conrad, Sr. Certified Property Appraiser
- Burke Romans, Sr. Certified Property Appraiser
- Tracy Golder, Sr. Certified Property Appraiser
- Kenneth Allen, Sr. Certified Property Appraiser
- Kathy Kinney, Sr. Certified Property Appraiser

- Geraldine Tallabas, Sr. Certified Property Appraiser
- Joan Irby, Sr. Certified Property Appraiser
- Brett Hartley, Sr. Certified Property Appraiser
- Kenneth Walters, Sr. Certified Property Appraiser
- Norma Jimenez, Certified Property Appraiser
- Dawn Houghton, Sr. Certified Property Appraiser
- Autumn Wall, Sr. Certified Property Appraiser
- Katrina Ponce, Sr. Certified Property Appraiser
- Roger Craig, Certified Property Appraiser Supervisor
- Darryl Speiser, Sr. Certified Property Appraiser
- Kevin Sorensen, Sr. Certified Property Appraiser
- Mike Cowan, Certified Property Appraiser Supervisor

The Board approved employee status change forms for an FY2025 market adjustment for the **Constituent Services Department:**

- Chad Thompson, Communications Specialist

The Board approved employee status change forms for FY2025 market adjustments/breaking specialty pay from base pay/adding on-call pay for the **Clerk's Office:**

- Jennifer Odom, Case Manager
- Kellie George, Case Manager
- Yvonne Baker, Director of Indigent Services
- Pam Freeman, Sr. Audit Specialist
- Emily Howell, Recording Supervisor
- Mary Brown, Recorder/Passport Specialist
- Haley Hicks, Office Manager
- Jess Urresti, Director of Court Operations and Chief Deputy Clerk
- Kathi Cannon, Court Clerk III
- Marah Meyer, Court Clerk Lead
- Nicole Beverlin, Court Clerk II

The Board approved employee status change forms for FY2025 market adjustments/COLA/addition of on-call pay/jail specialty pay for the **Facilities Department:**

- Rickey Britton, Director of Facilities and Weed and Pest
- Melissa Gonzalez, Housekeeper
- Amy Kindberger, Housekeeper
- Brandon Lancaster, Housekeeper
- Sonia Juarez, Housekeeper

- Hayli Marcilliat, Housekeeper
- Ruth Natibura, Housekeeper
- Bianca Bustamante, Housekeeper
- Audri Clausen, Housekeeper
- Elidia Housekeeper
- Tina Jones, Housekeeping Supervisor
- Edmundo Campos, Journeyman Electrician
- Bradley Banks, Journeyman HVAC
- Brian McClure, Maintenance Specialist
- Kelly Gardner, Maintenance Specialist
- Jose Carranza, Maintenance Specialist
- Dustin Moore, Maintenance Specialist
- Guy Bollinger, Maintenance Specialist
- Jeffrey Foreman, Maintenance Supervisor
- Jamie Toledo, Maintenance Supervisor
- Joel Barroso, Maintenance Technician
- Kenneth Chase, Maintenance Technician
- Chad Shumaker, Maintenance Technician
- Mark Ehrman, Maintenance Technician II
- Leslie Johnson, Security Supervisor
- Brandon Barker, Maintenance Specialist
- Garret-Cade Saucedo, Maintenance Technician
- Jacob Stuart, Maintenance Technician
- Maurissa Baxter, Housekeeper
- John Smith, Maintenance Technician
- Corey Hull, Maintenance Technician
- Jordan French, Maintenance Technician
- Matthew Vernon, Maintenance Technician
- Nolen Fisher, Maintenance Technician
- Nathaniel Campbell, Maintenance Technician
- Anthony Cassinelli, Maintenance Technician

The Board approved employee status change forms for on-call pay for the **Fleet Department**:

- Michael Thompson, Lead Shop Technician
- Ryan Magee, Shop Technician
- Deena Stephens, Service Writer
- Gino Furiani, Shop Technician
- Mark Hutson, Shop Technician
- John Brandel, Shop Technician

The Board approved employee status change forms for FY2025 market adjustments for the **Human Resources Department:**

- Daisy (Demi) Etheridge, HR Business Partner
- Jennifer Allen, HR Business Partner
- Cindy Lorta, HR Business Partner
- Rich Soto, HR Business Partner

The Board approved employee status change form for an FY2025 market adjustment for the **Information Technology Department:**

- Jairo Rodriguez, Operations Manager

The Board approved employee status change forms for FY2025 market adjustments for the **Juvenile Probation Department:**

- Hannah Heaton, Juvenile Probation Officer I
- Sydney Brown, Juvenile Probation Officer I

The Board approved employee status change forms for FY2025 market adjustments and COLA for the **Solid Waste Department:**

- David Loper, Solid Waste Director
- Lead Durfee, Heavy Equipment Officer
- Kip Wiemers, Environmental Compliance/Safety Operator
- Charles Manery, Hazardous Waste Screener
- Joshua Jameson, Heavy Equipment Mechanic
- Cole Morris, Hazardous Waste Screener
- Henry Briggs, Hazardous Waste Screener/Heavy Equipment Operator
- Guillermo Almaraz, Hazardous Waste Screener/Heavy Equipment Operator
- Julio Luna, Heavy Equipment Operator
- Chet Teats, Lead Landfill Heavy Equipment Operator
- Eric Eskew, Heavy Equipment Operator
- Clyde Alexander, Hazardous Waste Screener
- Rider Hofer, Heavy Equipment Operator
- Justin Hutton, Heavy Equipment Operator

The Board approved employee status change forms for FY2025 market adjustments/COLA for the **Trial Court Administrator's Office:**

- Christina Jeffes, Jury Commissioner
- Shelby McCain, Officer Administrator
- Tony Salazar, Lead Court Assistance Officer

- Trevor Lenz, Staff Attorney
- August Cahill, Staff Attorney
- Kaylee Mazo, Staff Attorney
- Robert Johnathan Shirts, Staff Attorney
- Alexa Medema, Sr. Staff Attorney
- Maraya Hanson, Staff Attorney

The meeting concluded at 10:32 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION APPROVING EMPLOYEE APPRECIATION DAYS FOR FY2025

The Board met today at 10:39 a.m. to consider a resolution approving employee appreciation days for FY2025. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, and Deputy Clerk Monica Reeves. Commissioner Holton said the Board was not ready to consider the resolution and then he made a motion to continue the matter to a date uncertain. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to adjourn. The meeting concluded at 10:39 a.m. An audio recording is on file in the Commissioners' Office.

SEPTEMBER 2024 TERM

CALDWELL, IDAHO SEPTEMBER 20, 2024

CITY OF NAMPA WATER RENEWAL FACILITY TOUR

The Board toured the City of Nampa Water Renewal Facility today from approximately 2:00 p.m. to 3:30 p.m. The facility is located at 340 W. Railroad Street in Nampa. No Board action was required or taken.

CONSIDER RESOLUTION APPROVING CHANGES TO THE JOB TITLE OF THREE POSITIONS AND THE JOB TITLE AND SALARY RANGE OF ONE POSITION IN THE DEVELOPMENT SERVICES DEPARTMENT

The Board met today at 4:03 p.m. to consider a resolution approving changes to the job title of three positions and the job title and salary range of one position in the Development Services Department. Present were: Commissioners Leslie Van Beek and Brad Holton, Director of DSD Sabrina Minshall, HR Director Marty Danner, HR Business Partner Jennifer Allen, COO Greg Rast, and Deputy Clerk Jenen Ross. The resolution was considered as follows:

Director Minshall explained that they have a couple of open positions and when that happens they take time to evaluate efficiencies and make sure duties are being addressed in the best way possible.

The first change is for three (3) employees where there is no fiscal impact, it is simply a title change and the only change to the job description was to simplify it. The positions were titled as Permit Technicians and they'd like to retitle them to Development Services Technicians. These are the front desk positions and work as the front-line in determining the next steps for incoming applications or questions. Additionally, this is an entry into Development Services and serves as training in determining a career forward.

In 2021 the position of Engineering Coordinator was created as the person in this position was partially doing this job and partially working as part of the building division. When the employee moved on to another organization DSD took the opportunity to determine the gap in what this position does. Following discussions between the planning and engineering teams it was determined that this was really the same skillset as a Planner, they aren't doing the technical reviews, that is the responsibility of the PE. Today's request is to change the Engineering Coordinator position to an Associate Planner, however, the implications are that the Engineering Coordinator position had been a grade 13 and an Associate Planner position is a grade 14 so the resolution includes the maximum, if budgeted and hired, at a mid-grade 14. It is unlikely to hire at mid-grade, and along with a couple other positions that are underfilled, it should all wash out.

Commissioner Van Beek asked about the wording of "supervisor" within the job description and clarification about the Engineering Coordinator position not actually being a technical position, it's more of a coordinator position. Discussion ensued about revising the job description and there was additional clarification about the Engineering Coordinator not being an engineering position. Director Minshall really feels changing this position to a planner position is the wisest choice.

Commissioner Holton said that the flow or lack of workflow through DSD will determine who'll be sitting in the Commissioner seats in two years and wants to know if he'll be able to see a measurable change. He feels he's still seeing close to the same backlog as when Director Minshall took office. He said the people who have the financial resources to change who sits in these seats are looking at their investments languishing in a process that hasn't seen a measurable performance difference. He went on to speak to how there is a huge liability for the DSD department noting that every decision is open to be challenged forever, how this Board is being scrutinized on metrics and those people have long memories. If this resolution is approved, he asked Director Minshall when a measurable change would be seen.

Director Minshall said she would not represent that in 3 months a measurable change will be seen from this one position title change. In reference to Commissioner Holton's comments, she noted that the planner position that is open is a replacement position, not a new position. She explained they are very aware of some of those challenges over the past couple of years but until 4 months ago didn't have a full team and just in the past month have not been at full staff again. Every time a planner leaves it sets the department back 4 months because the training cycle starts over.

Organizational changes have been made to try to provide support and training and those adjustments are seen in the procedures, documents and workflow. She feels the Board is seeing those improvements happening both in quality and how the applications are coming through. The other challenge is that they are only able to get 6-7 cases a month through P&Z. She explained these are just the facts and that it takes time to move applications through the process but she is not going to promise something that can't be delivered. She takes exception to the idea that the department is at the same place that it was. At one point there were at 168 public hearing cases with an estimated 60 of them being gnarly. These are cases that didn't have completeness reviews done and/or were not fully complete, that they've continually had to push through to try to get them complete enough to at least get them to hearing; these cases could sometimes take a planner 3 months to get it to a place for a decision. Additionally, they are also trying to do long-range planning work which is why additional capacity was given to Director Minshall through the assistance of Assistant Director Jay Gibbons and Planning Supervisor Carl Anderson but they still have a lot of operational work. She noted that this position will not make or break the department but they need to continue on the track they've been on, being methodical in the changes or adjustments made so they can determine what's working and what isn't. One of the changes they'd like to make is bringing in a hearing examiner but that contract has been with legal for review for a while now.

Commissioner Holton suggested having HR conduct an evaluation of how the department is operating. Director Minshall doesn't think the issue in her department is a question of personnel, it has more to do with process. She thought it would be prudent to figure out the questions trying to be answered. HR would need to know a lot about how cases flow through the process. There really are not any other positions that can do the work that planners are doing, additionally, there aren't enough trained planners so they have to spend more time training. Commissioner Holton feels that if he were able to have HR do an evaluation, it would show his constituents that the county is trying everything they possibly can to analyze efficiencies. He would also like to see DSD only doing low-level parcel inquiries and get out of the business of doing anything more complicated, he wants to see the focus on the 150+ applications. Director Minshall said that the issue of parcel inquiries was something that was brought to the Board's attention in March or April, the majority of those harder parcel inquiries is going to be almost the same amount of work for a planner whether it comes in through a parcel inquiry or waiting to do it at the application because they still have to be eligible to apply and DSD has to be able to get the information to be able to process whether the applicant is able to do what they want to do. Parcel inquiries are complicated in Canyon County because there is a history of subdivisions first being done through a CUP, then administrative divisions, then non-viable, it's a very convoluted system. Director Minshall also noted that based on Board direction they're trying to carve out enough time to try to fix the ordinances and the system. Further discussion ensued regarding parcel inquiries as to what the fee should be, if they can be done through a title company with the biggest issue being the ability to accurately apply county code. Director Minshall said that delaying this one position until the fee schedule is updated and the question about parcel inquiries is answered is only going to delay getting more planners in to work through the caseload. Cases just take time to make it through the process, if it takes two months to get a case on the BOCC agenda the planners can't bring in something else if they're at a certain level.

Commissioner Van Beek acknowledged that the county is trying to figure out which one to do first regarding the cleaning up the ordinances or working through the back log noting that there is tension and conflict. She said a title company would do the same work an associate planner and because county code is tied to 1979 there are a lot of nuisances in how divisions and parcels were created, it's not consistent in Canyon County. Director Minshall agreed that each situation is not cut and dry and reiterated that if a case is sent out to a contractor they would not only need to understand the code and the nuances but also how to apply them.

In response to a question from Commissioner Van Beek, Director Minshall said that the hearing examiner contract has been with legal for 8-9 weeks awaiting review. She then went on to speak about how they've looked at several options to help move cases forward but circumstances such as more challenging cases that require multiple hearings or have large cases files take more time on the part of the Principal Planners and can slow down the process. Commissioner Holton said that he wants a review from legal on where they're at with contracts.

Commissioner Holton reiterated his request to have fees based on time tracking. Director Minshall expressed her concern stating that efficiency will come to a screeching halt if planners, who are already carrying an overwhelming caseload, are asked to do one more step in documenting how their time is spent. She clarified that she understands the Board's frustration stating that she is equally frustrated. She has been working with the Assistant Director and Planning Supervisor to brainstorm and implement any ways to make applications move through the process more quickly or in a smoother fashion but in the end, it seems that applying what is already in place and staying the course is the most efficient way. They have to be able to maintain and retain staff but the more burden put on staff does not make them want to continue. Commissioner Holton wanted to make the record clear that he is not being critical about how hard the DSD staff is working, he is simply looking for efficiencies and to help dig out of the mess that Director Minshall was handed. He further spoke to his desire to have more in-depth parcel inquiries done by an outside source because DSD just doesn't have the time to handle them and there possibly needs to be a moratorium on them. Director Minshall said this is a tactic that could be used but she still believes it won't change the amount of work, it will just be a transfer of work or perhaps even make those applications more challenging. It is something that could be tried but she'd like to get the fee schedule through first even if the parcel inquiry section needs to be removed because refunds need to be discussed. If someone applies, and it's determined they're not able to move forward with their plans a refund will likely be requested. Director Minshall confirmed she is more than willing to try in order to either validate or find another solution.

Director Minshall said that changing this Engineering Coordinator position to a Planning position is purely a matter of doing what is most efficient to continue to do the work that they were partially already doing and partially working in places, including floodplain, that is not the highest priority; that is the reason they are requesting this position. The rest of the questions that have been talked about today are something that can continue to be worked through together. They are willing to take that feedback and give the Board the honest truth. She does not feel there are any other

major efficiency changes that can be made except staying the course and working through the time.

Commissioner Van Beek said with the explanations that have been provided she is fine with moving forward with this change. Commissioner Holton concurred that he is will also willing to move forward with this change but wishes it could be said that there would be a 20% change or even a 5% change. Director Minshall explained that an Associate Planner handles about 10 cases a month, which will allow for more capacity. There are still some things that need to be done under engineering, floodplain, and plats. Planning and Zoning is able to get about 6 cases through a month and even with a hearing examiner, they are able to get about 5-6 cases through – it just takes time for cases to work through the process.

Commissioner Van Beek made a motion to consider and adopt the resolution approving changes to the job title of three positions and the job title and salary range of one position in the Development Services Department – it is three (3) Permit Technicians will remain at grade 12 with PCNs attached, those will move to Development Services Technicians and one (1) Engineering Coordinator, salary grade 13, to one (1) Associate Planner, salary grade 14, the minimum and maximum impacts depending on qualifications and hiring are enumerated. The motion was seconded by Commissioner Holton and carried unanimously. See resolution no. 24-173.

The meeting concluded at 5:04 p.m. and an audio recording is on file in the Commissioners' Office.

SEPTEMBER 2024 TERM
CALDWELL, IDAHO SEPTEMBER 23, 2024

COMMISSIONERS ATTENDING THE IDAHO ASSOCIATION OF COUNTIES CONFERENCE

Commissioners Brooks and Holton attended the Idaho Association of Counties Conference which was held at the Boise Centre, 850 W. Front Street, Boise, Idaho.

SEPTEMBER 2024 TERM
CALDWELL, IDAHO SEPTEMBER 24, 2024

COMMISSIONERS ATTENDING THE IDAHO ASSOCIATION OF COUNTIES CONFERENCE

Commissioners Brooks and Holton attended the Idaho Association of Counties Conference which was held at the Boise Centre, 850 W. Front Street, Boise, Idaho.

APPROVED CLAIMS

- The Board has approved claims 609849 ADV in the amount of \$325.00

SEPTEMBER 2024 TERM

CALDWELL, IDAHO SEPTEMBER 25, 2024

COMMISSIONERS ATTENDING THE IDAHO ASSOCIATION OF COUNTIES CONFERENCE

Commissioners Brooks and Holton attended the Idaho Association of Counties Conference which was held at the Boise Centre, 850 W. Front Street in Boise, Idaho.

SEPTEMBER 2024 TERM

CALDWELL, IDAHO SEPTEMBER 26, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Consolidated Supply in the amount of \$9,692.80 for the Solid Waste Department (PO #6095)
- AVI Systems, Inc., in the amount of \$34,285.72 for the Information Technology Department (PO #6082)
- Paessler AG in the amount of \$7,677.46 for the Information Technology Department (PO #6083)
- Motorola Solutions in the amount of \$56,092.10 for the Sheriff's Office (PO #6098)
- OCV, LLC in the amount of \$10,995.00 for the Sheriff's Office (PO #6097)
- High Focus, LLC, in the amount of \$62,000.00 for the Sheriff's Emergency Management Department (PO #6099)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Jordan Christopher Romeri, Deputy Sheriff - Inmate Control - 51003
- Alex Anthony Mercado, Sr. Radio Communications Engineer

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- H&M Meats and Catering be used on 10/26/24 at the Mint Barrel Barn for the Millard Wedding
- Raising Our Bar to be used on 10/1/24 at Still Water Hollow for the Sips for Hope Fundraiser
- Raising Our Bar to be used on 10/4/24 at Still Water Hollow for the Uffelman Wedding
- Raising Our Bar to be used on 10/5/24 at Still Water Hollow for the Livesay Wedding
- Raising Our Bar to be used on 10/11/24 at Still Water Hollow for the Warf Wedding
- Raising Our Bar to be used on 10/12/24 at Still Water Hollow for the Miller Wedding
- Raising Our Bar to be used on 10/13/24 at Still Water Hollow for the Kalnas Wedding
- Raising Our Bar to be used on 10/19/24 at Still Water Hollow for the Jeppesen Wedding
- Raising Our Bar to be used on 10/26/24 at Still Water Hollow for the Sandoz Wedding
- Mesquite Creek Outfitters to be used on 9/28/24 at Deer Flat Ranch for the Rex Wedding
- Danelion Brewery to be used on 9/28/24 at Vogel Farms for the Fall Runabout
- Treasure Valley Road Runners, LLC to be used on 9/28/24 at A Creekside Affair for the Barba Wedding
- O'Michael's Pub & Grill to be used on 10/4/24 at A Creekside Affair for the Koch Wedding
- O'Michael's Pub & Grill to be used on 10/10/24 at Red Roof Farm House for the Lowther Wedding
- O'Michael's Pub & Grill to be used on 10/13/24 at A Creekside Affair for the Maren Wedding

APPROVE COUNTY QUITCLAIM DEED

The Board approved a corrected County Quitclaim Deed for Parcel No. 34980000 0 to Hall & Sons, LLC, whose mailing address is 10801 W. Hubbard Road, Kuna, Idaho 83634. The deed corrects the grantee name and mailing address on the previously recorded County Quitclaim Deed Instrument No. 2024. New Instrument No. 2024-031109.

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, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Deputy P.A. Oscar Klaas (left at 10:07 a.m.), Clerk Rick Hogaboam (left at 10:07 a.m.), Chief Deputy Assessor Greg Himes (left at 9:50 a.m.), GIS/Land Records Supervisor Jacob King (left at 9:50 a.m.), EOM Christine Wendelsdorf (left at 9:54 a.m.), Cpt. Ray Talbot (left at 9:54 a.m.), Solid Waste Director David Loper (left at 9:35 a.m.), TCA Benita Miller (left at 9:45 a.m.), Case Manager Jennifer Odom (left at 9:45 a.m.), Interim Chief Public Defender Erik Ellis (left at 9:39 a.m.), Director of Constituent Services Aaron Williams (left at 10:07 a.m.), COO Greg Rast, Controller Kyle Wilmot (joined at 9:37 a.m. and left at 9:55 a.m.) and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider resolution reappointing Doug Amick to the SWAC: This resolution will reappoint Doug Amick as the representative for the Greenleaf/Notus/Parma area. Director Loper noted that a new representative is still needed for the City of Middleton. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution reappointing Doug Amick to the SWAC (resolution no. 24-176).

Consider Resolution Terminating Public Defense Expenses and Contracts: With the state taking over public defense starting 10/1/24, the following resolution memorializes the dissolution of the county public defender's office and any associated expenses and contracts. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution terminating public defense expenses and contracts (resolution no. 24-175).

Consider Independent Contractor Agreement for Court Appointment Counsel with Rondee Blessing, Joshua Taylor, Alexa Perkins, Bethany Harder, Jolene Maloney, Krista Howard, Jeffrey Nielson, Shawn Miller, and CK Quade Law: Mr. Klaas explained that as a follow-up to the state taking over public defense, there are three areas where they will not take over and the county will still be responsible, those cases are Guardian Ad Litem, Adult Guardianship and Developmental Disabled commitment. Guardian Ad Litem cases can be reimbursed thru the state. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the independent contractor agreements for court appointment counsel with Rondee Blessing (agreement no. 24-114), Jeffrey Nielson (agreement no. 24-115), Joshua Taylor (agreement no. 24-116), Alexa Perkins (agreement no. 24-117), Jolene Maloney (agreement no. 24-118) and Krista Howard (agreement no. 24-119). The agreements with Bethany Harder, Shawn Miller and CK Quade Law have not yet been returned and will be considered at a later time.

Consider EagleView Master Services Agreement: This is for aerial images which is improved from what was previously offered and will assist the Assessor's office in assessing and evaluating properties. Legal has reviewed the agreement and has no issues. The Assessor's Office was able to negotiate prices for the next 8 years with appropriation and "out" clauses included. Flights with photos provided will be done once a year for \$62,499.97 annually. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the EagleView Master Services agreement (agreement no. 24-113).

Consider Emergency Operations Plan Consultant Agreement with High Focus, LLC: Ms. Wendelsdorf explained best practice is to update the emergency operations plan every 5 years and High Focus will assist with that. Total cost of the project is \$100,000 which will be paid from EMPG grants; \$62K this year and \$38K next year. The last adoption of the emergency operation plan was April 2019. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the Emergency Operations Plan Consultant Agreement with High Focus, LLC (agreement no. 24-112).

Consider binding insurance coverage with Travelers, Munich RE, Landmark American, and Tokio Marine/HCC: Zach Wesley explained that as part of the insurance renewal process for FY25 The

Hartwell Corporation requested written documentation confirming acceptance of the policies. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution binding insurance (resolution no. 24-177).

Consider approving and signing retail sales agreement with AVI Services: This is the service support for The Center at the fairgrounds and the BOCC meeting room. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve and sign the retail sales agreement with AVI Services (agreement no. 24-111).

Consider Signing Notice of Publication of FY2024 Budget Adjustments: In order to amend the budget, the budget process should be followed as practically as possible and this notice of publication is a good faith attempt to mirror that. The public hearing will be held on October 8th and notice will publish on October 1. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the notice of publication of FY2024 budget adjustments.

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 10:07 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 10:42 a.m. with no decision being called for in open session.

The meeting concluded at 10:42 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 10:48 a.m. to discuss DSD general business. 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, DSD employees, Constituent Services Director Aaron Williams, COO Greg Rast, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley arrived at 10:52 a.m. Director Minshall said over the last couple weeks they have discussed agriculture and rural living and what it looks like as well as coming back to the other state ordinances. However, they are trying to get to the scope of what the comprehensive plan is and where we are going to focus and what ordinances we are going to update. One of the pivot points is how does the County want to proceed, and a couple of

key questions related to the area of city impact (AOCI). There has been great feedback from the two big cities and there was strong recognition from those conversations that we have dueling comprehensive plan visions. We want better predictability of what land use patterns look like and how we are looking at growing in impact areas. There are examples of past decisions where rural residential was approved in an area that a city was not far from serving in a couple years and that decision ended up blocking areas of annexation or blocking plans where the city was extending sewer and water lines.

Questions from DSD staff:

1. At what level do we want to engage in the cities' negotiation of those areas of impact, and what kind of level of evidence and true negotiation discussions do we want to have in terms of how to determine if the cities can have the ability to serve within 5 years?
2. Is the Board supportive of staff exploring more of how to utilize the cities' comprehensive plan designations, city ordinances, and how to incorporate that into our area of impact agreements?

Assistant DSD Director Jay Gibbons referenced impact area maps that have been submitted and reviewed in previous DSD meetings. The AOCI boundary is a transition zone and we need a better definition because from a city/county perspective we look at agriculture in a different way and subdivisions mean a different thing because of the density differences. Are we working with the city to achieve their goals or are we going to hold out for a lengthy transition period instead of working with the cities? Planners need to know what the Board's direction is. He referenced another map that shows the current comp plan vs. the older comp plan that illustrates what is currently shown and previously shown as agriculture as well as the areas outside the city limits that were commercial, industrial, residential. We need to figure out what the County's vision is going forward on how to provide leadership and consistency with the landowners in those areas. What vision are we implementing? We need to work with the smaller cities are just as much as the larger cities. How much time do we spend with them and what do we bring back to the Board with regard to implementation plans?

Commissioner Van Beek said it's a hard conversation because there are people who don't want to live in high-density urban areas, but some city leaders have said the County should not be approving any subdivisions at all, although she is not sure that is the right answer. How do we tackle setting a vision for the County? Commissioner Holton said the joint powers agreement between the County and the cities hasn't been explored as well as it could have been, and this will force the County to consider the new options that the lion's share of the communities haven't taken advantage of. He believes the legislation has placed the County in a paradigm that is illogical. A 5-year window for Caldwell and Nampa is far more attainable than a 5-year goal for the rest of the small cities. HB389 is ravaging our budget but that doesn't mean we shouldn't have long-range planning; there is more to long-range planning than a 5-year window of providing utilities. The people who want to buy open space lots are not interested in living in the city limits and yet how do you do that without having separate land use ordinances you can agree to with the cities in the area of impact? He said at a recent IAC conference, the presenter was trashing Canyon

County and how it's handled development, but the presenter was way off base because the majority of the development he is so angry about is within municipalities. There are things you can do to mitigate that such as transfer of development rights or setting aside land that is going to be dedicated for agricultural use only, but people want top dollar for their land. His preference would be to go to a two-mile city buffer rather than one mile because the small cities with expensive utilities need to do long-term planning and those developers who want the rural feel but want to be close to the city need to participate in bringing utilities to those developments. We owe it to the citizens to make land development as plannable as possible.

Commissioner Van Beek said we are 50 years behind in looking at TDR's and if you look at the one-mile and the two-mile city buffer and the difference between the 2030 comp plan and the older comp plan, the parcel identification on the buffer is really telling, for instance, when you look at divisions of parcels in the Melba area it's wide open ag, and it's curious to her that on the Gem County line you go from conservation open space to agriculture where it's poor ground. We might be overlooking the needs of the little cities in their long-range development and so in the planning effort we could say there have to be rural development allowances for the easements but even with that there are subdivisions that have come before the Board where easements have been planned for and built right over the top of. Director Minshall said if there is an assumption that AOCI boundaries are negotiated and make sense what does that mean for a property owner to be in an area of impact in terms of land use vision if we assume that there is an ability to serve within a reasonable 5 to 10-year period? Commissioner Van Beek wants to see an agreement on architectural overlays and designs for communities. How does the County assist? She doesn't want to give up ground if it's going to turn into something that is undesirable. We're talking about an economic commodity and if you want it you should buy it. We need standards in the city and the County that say if we repurpose this because we believe the highest and best use is this, then we have a standard of development that perpetuates good things into the future and right now that is missing in some cities.

As to staff's question about what level does staff engage with the cities in negotiating and requiring evidence of meeting the criteria for the new areas of impact boundaries, Commissioner Holton said Parma, Notus, Greenleaf, Wilder and Melba do not have staff that handles this topic, but Star, Caldwell and Nampa have fulltime staff so it's two different issues and it's not fair or equitable for the County to spend a great deal of time with those three cities. Middleton is in a transition and they need to figure it out, it's not for the County's to figure out. There is a divergence of priorities and goals for DSD to deal with this new criteria we must meet. As to staff's question of whether the Board is supportive of utilizing the cities' comprehensive plan designations in the AOCI, he said his answer would be no because it would be arduous for the small communities to put together and they were not put together with the Todd Lakey bill being forced upon them and so there was no vision or consideration of that when those plans were put together. It would only be fair for those cities to reconsider their comprehensive plan and update that inconsideration of the new reality we're going to find ourselves in. Nampa and Caldwell have plenty of resources to figure out what they are going to do. There is no economic consideration in comparison to Nampa and Caldwell because the other communities do not stand a chance because they don't have state-driven consideration. Small communities aren't even at the table and the County needs to

consider that because we are the only ones with the resources to help them. To have County rules right up against a city limit is not reality and it's convoluted. Over time there are islands of higher density and lower density and they are inconsistent moving further way from city limits. He looks forward to addressing the shortcomings that could be mitigated through the process. Commissioner Van Beek agrees with Commissioner Holton's position on staff's questions, and she wants to look at the joint powers agreements. If there is not an agreed upon standard and we still have the trump card for what happens in an area of impact she wants to be able to say here is the reason we are setting a standard, we'll help you get there if you're smaller community. (She left the meeting at 11:29 a.m. to attend a luncheon event.)

Commissioner Brooks questioned where the idea came from where the County sits and waits for the cities to grow and take over County ground? Director Minshall said in the law if you are in an AOI, it is planned to be city. If you have an AOI that says it's going to be city but yet can't get it to be city then the reverse is you have people wanting to apply and go through a process when it will stay County rural. Commissioner Brooks said the Board hears from city leaders where they want to move out, but others are mad that the County allowed ground to be annexed into the city and developed at densities that are akin to city developments. The law appears to blanket cover all cities, but there are disparities between the cities in Canyon County. The new comp plan comes across as a hammer to keep the cities where they are at which is unrealistic, but at the same time he doesn't see himself in a position where he has to kiss the ring of a city that wants to do whatever it wants. As to staff's second question, he said there needs to be negotiation. Commissioner Holton said the County has no authority on any municipality annexing ground. If a municipality wants to annex, it's nice to coordinate and have it within an area of impact but it doesn't have to be. Nampa is considering the area north of Lake Lowell as part of their impact area and he appreciates them talking the County about that, but over 90% of the ground in that area has long ago been purchased by developers at a much higher price than farm ground. It's his opinion that when the pre-existing landowner, who was using the ground for ag purposes, chose to sell at development prices that started the ball rolling for the ground to become higher density. The AOI is greatly misunderstood and there is a disconnect between the use and who is paying for public infrastructure. If you want to play ball in the impact area you are going to be considering a pre-annexation agreement on the ground.

For next week's meeting, Director Minshall will summarize the discussion and give some examples of how that will work and where we engage. The meeting concluded at 11:40 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER NOTICE OF LIEN FOR PROPERTY LOCATED AT 0 LEIGH LANE (R39481503)

The Board met today at 11:47 a.m. to consider a notice of lien for property located at 0 Leigh Lane, Parcel No. R39481503. Present were: Commissioners Brad Holton and Zach Brooks, DSD Director Sabrina Minshall, DSD Assistant Director Jay Gibbons, DSD Office Manager Jennifer Almeida, COO Greg Rast, and Deputy Clerk Monica Reeves. Director Minshall said the action item today is to file that lien for the abatement the Board already approved. The abatement was done yesterday.

Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to sign the notice of lien for Canyon County Parcel No. R39481503 as presented. (The notice of lien was recorded as Instrument No. 2024-030901.) The meeting concluded at 11:50 a.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION APPROVING A NEW ALCOHOLIC BEVERAGE LICENSE FOR CAMPOS MARKET, LLC DBA CAMPOS MARKET

The board met today at 11:48 a.m. to consider a resolution approving a new alcoholic beverage license for Campos Market. Present were: Commissioners Brad Holton and Zach Brooks, Chief Operating Officer Greg Rast, and Deputy Clerk Monica Reeves. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to approve the beer and wine alcoholic beverage license for Campos Market, LLC dba Campos Market. (Resolution No. 24-178.) The meeting concluded at 11:50 a.m. 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, Clerk Rick Hogaboam, Controller Kyle Wilmot, Sheriff Kieran Donahue, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Director of Constituent Services Aaron Williams, Cpt. Harold Patchett, Chief Deputy Sheriff Doug Hart, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, and COO Greg Rast. The Executive Session concluded at 3:43 p.m. with no decision being called for in open session.

ACTION ITEM: CONSIDER POSITION RECLASSIFICATION PROPOSAL FOR THE SHERIFF'S OFFICE

The Board met today at 4:00 p.m. to consider a position reclassification proposal for the Sheriff's Office. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Chief Deputy Sheriff Doug Hart, Captain Chuck Gentry, HR Director Marty Danner, HR Business Partner Cindy Lorta, and Deputy Clerk Monica Reeves. Sheriff Kieran Donahue and Captain Harold Patchett arrived at 4:05 p.m. Chief Hart said the request stems from an ongoing analysis of the Sheriff's Office and its effectiveness and where they need to make some organizational changes that are long overdue. They want to reclassify a vacant Deputy PCN to a

Patrol Administration Lieutenant to alleviate shift commander lieutenants who have significant duties from collateral duties. Some of those duties are carried out by sergeants who are supposed to be running their patrol teams but the collateral duties take them away from being able to supervise the deputies who are on the street. This represents an added expense but it will be offset by two earlier reclassification requests that reduced the “A” budget by \$20,000 a year. Commissioner Holton said the leadership is showing in the fact that our liabilities are being reduced; it’s a good direction and he supports it. Commissioner Van Beek appreciates getting the gold standard in support and documentation from the Sheriff’s Office. She anticipates the budget impact will be very minimal going forward and noted there are anticipated revenue increases for it. Commissioner Brooks said the documentation is above and beyond to substantiate supporting the request. Chief Hart said the request includes the sergeant for the 5th patrol team and the adjustments that when they get the new PCN’s in FY2025 they will remove the request for the sergeant position in FY2025. Sheriff Donahue expressed his appreciation for the work his team put into this effort. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to approve the job title, job description, and salary grade of two positions in the Sheriff’s Office; one Deputy Sheriff salary grade D1 to one Sergeant; and one Deputy Sheriff to one Lieutenant as presented. (Resolution No. 24-179.) Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 4:10 p.m. An audio recording is on file in the Commissioners’ Office.

SEPTEMBER 2024 TERM
CALDWELL, IDAHO SEPTEMBER 27, 2024

APPROVED CLAIMS

- The Board has approved claim 609850 ADV in the amount of \$62,000.00

MEETING REGARDING STATE PUBLIC DEFENSE TRANSITION/COURT ISSUES

The Board met today at 4:02 p.m. regarding State Public Defense transition/court issues. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Clerk Rick Hogaboam, Controller Kyle Wilmot, Director of Court Operations Jess Urresti, Director of Constituent Services Aaron Williams, Interim Chief Deputy Public Defender Erik Ellis, Administrative District Judge Whitney, TCA Benita Miller (arrived at 4:09 p.m.), and Deputy Clerk Jenen Ross.

Commissioner Holton said the Board would like to review where things are at with the transition and if there is anything to be done on the county side of things.

Judge Whitney explained the courts role in the transition is to work administratively with the State Public Defense is smooth as possible and although he anticipates there may be some hiccups it will ultimately be good in the long-run. He doesn’t think there is any more to be done on the county’s part noting that the main problem, as a whole, is a lack of personnel.

Mr. Ellis said that between August 30th and September 30th they're losing 10 felony attorneys which are the highest paid attorneys. There are no replacements for these positions so the attorneys who remain will be doing the same or more work with less pay which is causing some internal strife. He is concerned that come October 1st they will not be able to field their obligation to the rules of professional conduct in regard to caseloads. If the current workload were to continue, the office would be in violation of the rules of professional conduct as it's too much work for too few attorneys and he's not sure what happens when he arrives at court with not enough attorneys; he doesn't think the State Public Defense has enough attorneys to help, there may not be enough in the state. Additionally, based on what he's seen and heard, the state is out of money to support public defense. In addition to the lack of personnel there seems to be a shortage of funds for office furniture and technology such as computer monitors, and phone and internet services. Since there is already an institutional office in place there are methods and policies in which they will continue to build from. They will have one felony attorney in courtrooms, but not two as required and he's not sure how it will work when the county doesn't have enough attorneys. He assumes it's likely the judges will have to work amongst themselves to figure out how to approach this. Mr. Ellis has reached out to surrounding states that have faced a similar situations and is awaiting that information. The Idaho SPD is based off what was done in Colorado, however, they are funded at \$400M and Idaho is funded at about \$50M. He will continue working with the state to figure out a solution and expressed his appreciation for the employees still in the office as they are very dedicated.

Commissioner Van Beek said it is not the responsibility of Canyon County to meet the gaps and referenced an IAC conference where the executive director expressed multiple times that \$50M was not a realistic number when calculating the cost of the state assuming public defense.

Based on a question from Mr. Bazzoli, Ms. Miller spoke about how open cases will transition over on October 1st.

Mr. Ellis and Ms. Miller spoke to the types of evaluations that the state will pay for and what they will expect the county to pay for vs. what the state will allow the county to seek reimbursement for.

Further discussion ensued between the Courts, Trial Court Administrator, Interim Chief Deputy Public Defender and Prosecutor's Office regarding logistics of the transition ensuring everyone is able to work cooperatively to achieve a smooth transition.

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

The meeting concluded at 4:42 p.m. and an audio recording is on file in the Commissioners' Office.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Rachelle Hafen, Juvenile Detention Officer
- Lucy Ostyn, Development Services Technician
- Joshua Jameson, Heavy Equipment Mechanic
- Marcus Gomez, Development Services Technician

FILE IN MINUTES

The Board filed the Treasurer's monthly report for August 2024 in today's minutes.

COMMISSIONERS ATTEND TREASURE VALLEY PARTNERSHIP MEETING

Commissioners Brad Holton and Zach Brooks attended the Treasure Valley Partnership meeting today at the Mountain Home Air Force Base from approximately 11:00 a.m. to 1:30 p.m. Although a Board majority attended and participated, this was not a Commissioner meeting. There were no motions, action items, or Board direction entertained or given.

ACTION ITEM: CONSIDER APPROVING JOB DESCRIPTION FOR THE CHIEF DEPUTY ASSESSOR POSITION

The Board met today at 3:32 p.m. to consider approving the job description for the Chief Deputy Assessor position. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, HR Director Marty Danner, COO Greg Rast, and Deputy Clerk Monica Reeves. With the retirement of Joe Cox, who has filled the role of Chief Deputy Assessor for many years, Assessor Stender has been working with HR Director Danner on the job description which documents the role of the Chief Deputy Assessor. Greg Himes is now serving as the Chief Deputy Assessor. Following review, Commissioner Van Beek made a motion to approve the addition of one job description in the Assessor's Office: Chief Deputy Assessor with a salary grade of 17. The motion was seconded by Commissioner Brooks and carried unanimously (Resolution No. 24-181). The meeting concluded at 3:34 p.m. An audio recording is on file in the Commissioners' Office.

MEETING WITH HR DEPARTMENT TO CONSIDER ACTION ITEMS FOR THE COUNTY AGENT'S OFFICE

The Board met today at 3:34 p.m. with the HR Department to consider the following action items: Cooperative Agreement for University of Idaho Extension Program; Agreements for Loaned

Employee between Canyon County and the University of Idaho for M. Smith; D. Hoffman; K. Galloway; and J. Beaumont; and a resolution to approve the job title, job description, salary range and FLSA status for the 4-H Program Coordinator. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, HR Business Partner Jennifer Allen, COO Greg Rast, County Fair Office Coordinator Diana Hoffman, Interim County Agent Patrick Momont, 4-H Extension Educator Carrie Clarich, and Deputy Clerk Monica Reeves. Jennifer Allen said the resolution is for a new 4-H Program Coordinator position at the County Agent's Office which was approved during the FY2025 budget process. It is for the new employee that's currently in that role and who will be transitioning to Canyon County. COO Rast said the position was paid through a contract on the "B" side of the County Agent's budget and it is being transferred to the salaries side of the budget. Following comments, Commissioner Van Beek made a motion to sign the Cooperative Agreement for the U of I Extension Program; and the Agreements for Loaned Employee between Canyon County and U of I for M. Smith, D. Hoffman, K. Galloway and J. Beaumont, and to sign the resolution approving the job title, job description, salary range and FLSA status for the 4-H program coordinator as presented. The Clerk's attestation will be corrected on the documentation to reflect the name of Rick Hogaboam rather than Chris Yamamoto. The motion was seconded by Commissioner Brooks and carried unanimously. (Agreement Nos. 24-121, 24-122, 24-123, 24-124, and 24-125, and Resolution No. 24-180.) The meeting concluded at 3:39 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER ADOPTING THE FY2025 BUDGET BOOK

The Board met today at 3:40 p.m. to consider adopting the FY2025 Budget Book. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Constituent Services Director Aaron Williams, Communications Specialist Chad Thompson, COO Greg Rast, Clerk Rick Hogaboam, Controller Kyle Wilmot, Auditing Supervisor Sarah Winslow, Senior Systems Analyst Steve Onofrei, HR Director Marty Danner, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, and Deputy Clerk Monica Reeves. Director Williams said there are two draft versions of budget book; the main version goes over all the narratives as well as the requested budget, and the smaller version is an in-depth breakdown of the approved budget without narratives. Each of the Commissioners offered comments in support of the budget book. Following comments, Commissioner Holton made a motion to sign the document and release it to the public. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 3:48 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER SIGNING CHIEF OPERATING OFFICER AT-WILL EMPLOYMENT AGREEMENT

The Board met today at 3:49 p.m. to consider signing the Chief Operating Employee Agreement. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, COO Greg Rast, HR Director Marty Danner, Constituent Services Director Aaron Williams, Communications Specialist Chad Thompson, Clerk Rick Hogaboam, Auditing Supervisor Sarah Winslow, Senior Systems

Analyst Steve Onofrei, Controller Kyle Wilmot, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, and Deputy Clerk Monica Reeves. COO Rast said he works on a contract with the Board, and it's a volatile position so if it ever gets eliminated through new Boards coming in there is a severance package payout so he has the opportunity to find something else that is PERSI contributed, and if he finds something within 45 days the contract will be null and void. He reviewed a redlined version of the agreement noting the items that have changed:

- Page 2, Section 2.2 previously stated day-to-day activities will be guided by a workplan provided, but that language has been removed and now states the employee's day-to-day activities will be provided in the course of regular formal or informal meetings with the Board and by direction of the Board. All directives and assignments added to the employee's work shall require the consent of two County Commissioners. The Board agrees with this change.
- Page 3, Section 4.1 was updated to include the new FY2025 salary base of \$152,546.75. Commissioner Van Beek said the wage has been held at a minimum and this salary is a deal when considering if they had to go to market for the position. COO Rast noted that he took a \$10,000 salary reduction to go from the CIO (IT Director) position to the COO position.
- Section 5.5 is about training and education and it originally called out one out-of-town training, but he wants to change that because he wants to participate in IAC conferences and seminars and he wants to attend the ICMA - International City/County Management Association annual conference. The Board agrees with this change.
- Section 5.7 deals with the vehicle. He modified language so the section now reads that the County agrees to provide employee with a GPS-tracked vehicle, required insurance, maintenance and fuel. The vehicle is assigned to the Commissioners' Office to be used both by the Commissioners and the employee. He pays taxes on the vehicle on a quarterly basis. Commissioner Van Beek is in favor of this change.

The PA's Office has reviewed the agreement, but not the redlined changes. The Board is supportive without moving forward with Legal's review of the changes since they are de minimis.

There was a review of the changes made to the job description for the COO:

COO Rast will probably be the interim CIO for at least one year and there are specialty pays associated with that, but the additional salary will come off when new people are in place or redefined on that responsibility. Right now, he serves as the CIO, Deputy CIO, 911 IT Director and the COO and is working to get the IT Department back on track. Commissioner Brooks said normally he would object to this but considering what we went through for the last 11 months he is in support. COO Rast said he will supervise the Director of IT, oversee all IT operations and functions, including the Sheriff's Office 911 ETS through the MOU between the Board and the Sheriff. HR has also added County policies, procedures, and practices to the job description. He will be working with the elected officials and department administrators to establish policy

throughout the County. Commissioner Brooks said it's a big lift but come January 13, 2025 having a partner in the PA's Office to help the Board institute policy it would like to see will be a gamechanger and it won't be as heavy of a lift as it is now.

COO Rast reviewed his major achievements which are highlighted below:

- Observing the five-core values: TRUST (Transparency, Respect, Unify, Service, Teamwork)
- Shares risk management functions with the PA's Office and HR Department. The work environment, process, procedures, retention rates, overall employee satisfaction is the highest it's ever been. Litigious tort claims are at an all-time low and we are in a good position with our insurance carrier, and we now have insurance carriers fighting for the County's business.
- He was appointed to fill the roles of CIO, Deputy CIO, and the 911 IT Director for the Sheriff's Office.
- Working with the BOCC to do department administrator performance evaluations which he will be draft for the BOCC consideration. Exit interviews will be conducted through HR.
- Hired a new HR Director and a Constituent Services Director.
- Helped broker a deal between the Landfill, BOCC, the Solid Waste Advisory Committee, and Timber Creek Recycling to establish the first transfer station which will be in operation in 2025 by the Sugar Beet Factory in Nampa.
- Worked with the Constituent Services Director to re-establish the impact fee advisory committee. Now working on a capital improvements project and a plan.
- Budget process. Established on-call pay for Fleet Department and Facilities Department.
- Worked with the Sheriff's Office to establish new garnishment fees, and updated the towing ordinance.
- User fees at the landfill for user fees to start in October.
- Users fees and services in place for the Weed & Pest Department.
- Evaluate DSD fees for FY2025.
- Working with the Assessor's Office to evaluate admin fees and fees for the motor vehicle division.
- Working with Assessor and Treasurer to create a 5-year data hub on the website to give parcel information and a 5-year history of tax payments.
- New GASB 96 requirements for tracking assets.
- Worked with the ambulance district to establish the levy override on the ballot, and helping to reduce their costs by integrating the Fleet and Facilities Departments to utilize in-house resources chargeback model to save a lot of money. Upfitting ambulance and response vehicles with communication equipment, wiring, lights, overall technology; and HVAC, snow removal, groundskeeping and housekeeping services. In FY2026 they will chargeback for IT services.

- Assisted DSD with updating ordinances related to timelines of land use hearing processes and procedures.
- Partner with HR and PA's Office to analyze and make market adjustments to criminal and civil positions that were behind.
- Reorganization structures in DSD, Landfill, Assessor's Motor Vehicle and Reappraisal Departments.
- Worked with Clerk, Controller, Sheriff and BOCC on phase 1 of a new female detention center in FY2025.
- Partnered with PA and Facilities Department on plans and projects using ARPA funds
 - Completed the warehouse on Graye Lane
 - New Elections building will be completed in January of 2025
 - Completed the animal shelter roof and kennel improvements
 - Dedicated 6 new ambulance units in FY2025
 - Construction of a new Sheriff's administration building to be completed in January 2026. Looking to come in under budget.
- Involved in the gun range advisory committee. Getting architecture and engineer drawings and a site plan for improvements on one side, and a potential new Sheriff's training facility on the other side.
- Partnering with Parks to enhance safety and presence at Celebration and enhance facilities.
- Continued involvement in campus security discussions.
- Partnering with State Information Technical Services (ITS) in the technology transition of public defense services from the County to the State.
- Continued partnerships with Ada County, State of Idaho, CISA, Military Division, ITD, Idaho Supreme Court and other County affiliates.
- Addition of a fulltime Information Security Officer to oversee cybersecurity of County systems as well as to protect public information.
- Day-to-day tasks and projects for elected officials, department administrators and County affiliates to get those items prepped before the Board for a final decision or carrying out decisions that have been made.

Commissioner Van Beek said 3-4 years ago she started talking with leadership in Ada County about a chief operating officer position and she was advised that if Canyon County wanted to gain traction in efficiency it would need to have that position. She said it was a contentious offering to the public of what this would be, COO Rast does not function as a Commissioner but he does serve in a polished and professional political arena and has served Canyon County well. It's a tremendous list of accomplishments and she is pleased with the way it's been filled and the business that's been moved forward, and the buy-in from the other Board members in seeing the value of someone that knows the strategic and organizational component of moving a lot of business forward. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the At-Will Employment Agreement with Canyon

County and the Chief Operating Officer for FY2025 as presented. (Agreement No. 24-120.) Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 4:16 p.m. An audio recording is on file in the Commissioners' Office.

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

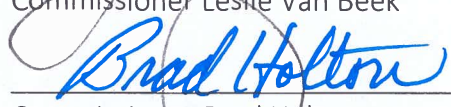
THE MINUTES OF THE FISCAL TERM OF SEPTEMBER 2024 WERE READ AND APPROVED AND FOUND TO BE A PROPER RECORD OF THE PROCEEDINGS OF THE BOARD OF CANYON COUNTY COMMISSIONERS, CANYON COUNTY IDAHO.

DATED this 5th day of February, 2025

CANYON COUNTY BOARD OF COMMISSIONERS



Commissioner Leslie Van Beek



Commissioner Brad Holton



Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: JROSS _____, Deputy Clerk

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.

DSD GENERAL BUSINESS

The Board met today at 10:31 a.m. for a DSD general business meeting. Present were: Commissioners Leslie Van Beek and Brad Holton, DSD Director Sabrina Minshall, Assistant DSD Director Jay Gibbons, Associate Planner Amber Lewter, Principal Planner Dan Lister, Director of Constituent Services Aaron Williams, COO Greg Rast and Deputy Clerk Jenen Ross.

Director Minshall updated the Board on a couple of personnel items stating that Amber Lewter will be promoting into an Associate Planner position and Matt Espey recently passed his certified residential inspector exam.

For today's meeting Director Minshall and Assistant Director Gibbons want to discuss the current code and how it's been interpreted over time with administrative land divisions. Typical administrative land divisions, nonviable land divisions and at some point, relocation of building permits.

Director Minshall explained there are a lot of ways to get to the end goal going but she wants to walk thru what the code says now in order for DSD to get a little more perspective on what is trying to be achieved. DSD can then come back to the Board with different recommendations. Director Minshall believes this is the section of the code that is the most troublesome and has resulted in some challenges. A major contributor to the patterns of development have been thru how administrative land use and non-viable have been done over time.

Mr. Lister reviewed codes with the Board and spoke to some of the challenges staff has experienced. The end goal is to determine what is to be achieved and what are some other options. Code sections reviewed and discussed with examples included:

- Land division requirements, section 7-17-03 under the subdivision code
- 7-18-05: General requirement to submit for a land division
- 7-18-07: Administrative division in agricultural zones
- 7-18-09: Administrative division of nonviable parcels in an agricultural zone
- 7-18-11: Administrative division and relocation of building permits between contiguous parcels in an agricultural zone

Commissioner Holton thinks that any original lot after September 1979 should have been given a new, longer number when anything had been done to the original parcel and is frustrated with the plat room for not doing that consistently. He recently priced out a parcel inquiry, he found at least 4 different products where a title company can be hired to research your ground; most of them started at \$500 plus \$100 a year to go backwards; that is the market rate which tells him the \$70 is insufficient. His opinion is that from 1979 to 2024, there is a significant portion of ag ground that is owned by people who will never drive a tractor and don't care about agriculture. They have bought this ag land for future development and will do land lot divisions; it's about money and they don't care about the viability of their neighbor's farm ground because they have a future to develop every piece of ground in Canyon County. He feels the problem is espousing the preservation of farm ground but no mechanism to do that. His guess is that more than half the land is owned by non-farmers now. It's a farce to say that the land divisions have gone from a piece of ground and is ag ground; its ag ground until somebody puts in a subdivision or a change of zoning on that parcel. To preserve that ground from the original parcel to be farm ground is a farce, it's dividable if a person can get thru the application process. An email was received today from a resident which included a picture from their back deck of a 20-acre field that is their immediate viewshed; they recently saw a sign indicating a future public hearing to change the land and seem to be upset about it. But when they bought the ground to build their house they neglected to buy the 20 acres in their immediate viewshed but still want to control it. They don't want anybody to have the right to build a house like they're sitting in; somewhere there is a disconnect in the rationale. He agrees that he'd really like to preserve farm ground but can't agree that he's going to push that on somebody else, that they don't get to do what they want to try to do with their land. Somehow in the preservation of farm ground, somebody is going to have to make some concessions and they are going to end up selling it for farm ground when they could have sold it for development ground which has a significant multiplier in profitability of the sale of that piece of ground. His suggestion/request to DSD is to do a jaunt and a deep-dive into the public hearings and meetings up to September 6th. The September 6th decision of the Board was a finality, it came after months of discussion to get to that decision. He feels there is some research to do about what the goals are.

Director Minshall said they'd bring information back for Thursday's meeting regarding when something was divided by deed and how it's handled after the fact. She will also have Assistant Director Gibbons talk about farm rights and how that's handled in Ada County and to go back into a bit more history of the original intent of the last change in the administrative division.

The meeting concluded at 11:30 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER SIGNING DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION

The Board met today at 11:32 a.m. to consider signing the Domestic Violence Awareness Month proclamation. Present were: Commissioners Leslie Van Beek and Brad Holton, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, CCSO Office Manager Bunny Malmin, Cpt. Ray Talbot, Lt. Travis Engle, Cpt. Harold Patchett, Lt. Martin Flores, Director of Constituent Services Aaron Williams, Communications Specialist Chad Thompson, Juvenile Probation Supervisor III Elda Catalano, COO Greg Rast, Cpt. Chuck Gentry (arrived at 11:37 a.m.) and Deputy Clerk Jenen Ross.

Sheriff Donahue explained that October is recognized nationally as Domestic Violence Awareness month and has asked the Board to sign a proclamation recognizing the same in Canyon County. He went on to share statistics noting that domestic violence can affect anyone and comes in a variety of ways. Commissioner Van Beek read the proclamation into the record and made a motion to sign the proclamation declaring the month of October as National Domestic Violence Awareness Month. The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 11:39 a.m. and an audio recording 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.

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

OCTOBER 2024 TERM CALDWELL, IDAHO OCTOBER 3, 2024

APPROVED OCTOBER 4, 2024 PAYROLL

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

ADMINISTRATIVE MEMOS

COO Rast filed administrative memos on the following:

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

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.

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 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.

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 standalone 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 7, 2024

No meetings were held this day.

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 claims 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:

	<u>FY 2024 Approved</u> <u>Budget</u>	<u>FY 2024 Budget</u> <u>Adjustment</u>	<u>FY 2024</u> <u>Amended Budget</u>
<u>Justice Fund Revenues</u>			
Field Services	\$2,482,135	\$818,442	\$3,300,577
<u>Total County Revenues</u>	\$153,360,431	\$818,442	\$154,178,873

<u>Current</u>	<u>Expense</u>	<u>Fund</u>	
<u>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
<u>Total County Expenses</u>	\$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.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 9, 2024

No meetings were held this day.

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 \$9,932.37 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 Vernon, 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 SYNOPSSES

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 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 changes 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

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 Commission 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)
- Federated Ordnance in the amount of \$38,100.00 for the Sheriff's Office (PO #6101)

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 transmissions structures which are 70-feet tall and that includes the distribution lines underneath. Mr. Maffuccio spoke about the measurements of EMFs which will be equivalent to a small appliance such as a television; noise measurements are comparable to 37 decibels in a quite rural setting or a bedroom at night with no fans running. There is still more work to do in the development design and working with the associated agencies, the County, and the neighbors with respect to screening efforts, and working to resolve any issues if there is a lateral nearby. With regard to setbacks, if it was placed in the center of the property it would be about 50 feet on all sides, and they can push back 75 feet from the roads, and 25 feet on the back. Along the outside of the substation they do 10 feet of gravel for a safety and firebreak barrier with a chain-link fence and concrete walls. They have a 2-year design frame to start construction in the beginning of 2027 and they want flexibility to move things. Commissioner Van Beek asked why can't there be a location in an industrial area that is located on an industrial corridor like Highway 19. Mr. Maffuccio said they looked at properties along Highway 19 in the Greenleaf general area, but if they go further east on Hwy. 19 towards some of the other industrial areas the challenge becomes the cost to build transmission at \$1 million per mile to the east and to build the distribution line to the west. It becomes a balance of the flow of electricity so they were trying to site within the specific area. Commissioner Holton asked about the viability of the other sites they looked at. Mr. Maffuccio said started at the southwest corner at Friends Road and Lower Pleasant Ridge Road and that owner wanted Idaho Power to buy the entire field. Other sellers to the north either had plans for their property or they did not want to split it up. The seller they purchased from came back to them in 2024 and was interested in selling a small portion of their parcel. Idaho Power needed to find a small suitable parcel, rather than a large acreage they where they may have to sell at a loss or hold it. Follow-up discussion ensued.

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

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

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

Commissioner Van Beek said the comprehensive plan designation for Greenleaf that indicates the parcel is to be residential high-density, but she was also reading that Greenleaf has this designated as agricultural low-density. She said the designation of the parcel as "ag-only" indicates that the residential designation is also inconsistent. Principal Planner Root said the map indicates that Greenleaf's comprehensive plan has this identified in two designations as agriculture and residential high-density. The location of where the proposed substation would be is on the future

land use map designated for agriculture. Residential and agriculture are identified for the future land use of this property. For Canyon County, the future land use designated is residential, and the current zoning is agriculture. The status of the parcel is ag only for there are no residential permits available without going through a comprehensive plan amendment or rezone or some other mechanism to provide for residential permits to be available.

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

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

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

Commissioner Holton said the parcel is on a corner so a berm might be problematic if it's too close to the intersection and obstructs the views of those traveling through the intersection. Commissioner Van Beek asked if the Board can require it to be substantially compliant with what Idaho Power has presented in their application. Planning Supervisor Anderson said if the Board wants to add a condition of berming to mitigate and increase compatibility with surrounding land uses he recommends the wording be tied to something such as a landscaping plan and site plan in alignment with it showing berming be provided and reviewed by DSD at the time of building permit submittal. Commissioners Brooks and Holton want it to be similar to the Beacon Light site with berms on the west side and the south side of the property. Commissioner Holton said he has to have quantitative information to weigh and against the testimony concerns about explosions or fire. For instance, it would have been helpful to have examples of explosions in the Idaho Power network. He agrees with the concerns about the location but said he is a public servant and he has to weigh a \$10M cost at this location and a \$30M cost as the next lowest alternative.

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

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 18, 2024

APPROVED 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 #6092)

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.

Commission 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 610665 in the amount of \$73,116.36
- The Board has approved claims 610736 to 610769 in the amount of \$42,450.13
- 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.

OCTOBER 2024 TERM

CALDWELL, IDAHO OCTOBER 25, 2024

No meetings held this day.

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

No meetings held this day.

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

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 Murrel Subdivision and he prefers not to have to enter into something like that. He said the existing RUMA he signed with the Satterwhites for Coyote Trail Lane should be adequate.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Holton said his concerns have been addressed in that there are two RUMAS, one for Coyote Trail Lane and one for the new subdivision. Commissioner Brooks agreed. Commissioner Van Beek said the P&Z Commission did a good job deliberating and getting to a place about the future concerns but she doesn't know that dividing and putting building envelopes will preserve any quality of agriculture even on a 20-acre piece, but nonetheless it's pretty rural out there still. It appears the plat is ready to move forward. Commissioner Holton said the larger decisions were made in other hearings and the applicants have met all of the issues of the development agreement. He noted that the existing fence will have to be taken care of before the final plat. The Board reviewed the draft FCO's and the nine

conditions of approval. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve Case No. SD2022-0005 preliminary plat, irrigation and drainage plan for Bad River Subdivision, subject to the conditions of approval as enumerated herein. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 2:12 p.m. An audio recording is on file in the Commissioners' Office.

OCTOBER 2024 TERM
CALDWELL, IDAHO OCTOBER 30, 2024

No meetings held this day.

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 5th day of February, 2025.

CANYON COUNTY BOARD OF COMMISSIONERS



Commissioner Leslie Van Beek



Commissioner Brad Holton



Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: J Ross, Deputy Clerk

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

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

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

FILE TREASURER'S REPORTS

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

APPROVED CLAIMS

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

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

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

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

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

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

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 5, 2024

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change forms for:

- Roxanna Page, Juvenile Detention Officer

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

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

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

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

Consider Canyon County Historic Preservation Support Award agreement with Nampa Valley Grange 131: This funding will go to repairing the roof at the Nampa Valley Grange, which is listed on the Nation Register of Historic Places. The amount being awarded is \$37,000. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign

the Canyon County Historic Preservation Support Award agreement with the Nampa Valley Grange 131 (agreement no. 24-150).

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

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

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

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

DSD GENERAL BUSINESS

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

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

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

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

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

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

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

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

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

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

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

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

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

ACTION ITEM: CONSIDER ADOPTION DAY PROCLAMATION

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

CONTINUED MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

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

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

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

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

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

NOVEMBER 2024 TERM

CALDWELL, IDAHO NOVEMBER 6, 2024

APPROVED CLAIMS

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Garrett Mowbray, Deputy Sheriff
- Stacie Woods, Emergency Communications Officer 1
- Doug Ward, Emergency Communications Officer 1
- Paige Suttter, Emergency Communications Officer 1

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

APPROVED JULY 2024 AND AUGUST 2024 TERM COMMISSIONER PROCEEDINGS AND SYNOPSES

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

SURPLUS PROPERTY AUCTION

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

carried unanimously. Commissioner Brooks read the pre-auction statement to those in attendance and the following parcels were auctioned:

PARCEL 1

PIN: 19574000 0

ADDRESS: 506 S ROSWELL BLVD PA ID

MINIMUM BID AMOUNT: \$3,870.27

SOLD TO: Gerardo Gomez Sanchez

AMOUNT: \$40,000

PARCEL 2

PIN: 19811000 0

ADDRESS: 309 5TH ST WI ID

MINIMUM BID AMOUNT: \$12,750.36

SOLD TO: James Thompson

AMOUNT: \$82,000

PARCEL 3

PIN: 27047000 0

ADDRESS: 15953 SUNDOWN ST CA ID

MINIMUM BID AMOUNT: \$3,509.97

SOLD TO: Brian Donohue

AMOUNT: \$47,000

PARCEL 4

PIN: 28180011 0

ADDRESS: S POWERLINE RD ME ID

MINIMUM BID AMOUNT: \$2,383.26

SOLD TO: Matt Freeland

AMOUNT: \$53,000

PARCEL 5

PIN: 30015100 0

ADDRESS: OAK RIVER LN CA ID

MINIMUM BID AMOUNT: \$5,280.31

SOLD TO: Eric Dalke

AMOUNT: \$81,000

PARCEL 6

PIN: 31489249 0

ADDRESS: 413 N COPPER RIVER DR NA ID

MINIMUM BID AMOUNT: \$10,700.92

SOLD TO: Eric Bowen

AMOUNT: \$224,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 7, 2024

APPROVED CLAIMS

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Oscar Klaas (left at 9:35 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Deputy P.A. Laura Keys, Cpt. Ray Talbot (left at 9:35 a.m.), Lt. Brian Crawford (left at 9:35 a.m.), Lt. Dion Trimble (left at 9:35 a.m.), HR Director Marty Danner (arrived at 9:34 a.m.), COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

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

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

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

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

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:41 a.m. pursuant to Idaho Code, Section 74-206(1) (b), (d) and (f) regarding personnel matters, records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach

Wesley, Deputy P.A. Trent McRae, Deputy P.A. Laura Keys, and COO Greg Rast. HR Director Marty Danner joined at 9:54. Mr. Wesley, Mr. McRae and Ms. Keys left at 9:54 a.m. The Executive Session concluded at 10:45 a.m. with no decision being called for in open session.

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

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

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

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

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

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 8, 2024

No meetings were held this day.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 12, 2024

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

The Board met today at 9:29 a.m. for a meeting with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Oscar Klaas (left at 9:37 a.m.), Deputy P.A. Zach Wesley (left at 9:54 a.m.), Deputy P.A. Trent McRae (left at 9:54 a.m.), Facilities Director Rick Britton (left at 9:37 a.m.), Emergency Operations Manager Christine Wendelsdorf (left at 9:34 a.m.), Juvenile Probation Supervisor III Elda Catalano (left at 9:34 a.m.), Juvenile Probation Supervisor II Jose Orozco (left at 9:34 a.m.), HR Director Marty Danner, Assistant DSD Director Jay

Gibbons, COO Greg Rast and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Service Agreement with Motorola Solutions: Ms. Wendelsdorf said this is the annual service agreement for radio tower maintenance. Legal has reviewed and have no issues. This year there is an increase of about 2% or about \$10,000, otherwise everything else has remained the same. Ms. Wendelsdorf confirmed this contract is paid from E911 funds. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the agreement with Motorola Solutions (see agreement no. 24-152).

Consider Statement of Work for Professional Services Agreement with Case Management Systems, LLC (CMS): Mr. Rast said he has worked with Directors Catalano and Brown on this agreement; legal has reviewed and have no issues. Ms. Catalano said this contract has been in place for several years although there has been a slight cost increase this year. Costs for the program have been included in both the Juvenile Probation and Juvenile Detention budgets and at the request of Ms. Catalano and Mr. Brown CMS will update their system twice per year. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the statement of work for professional services agreement with Case Management Systems, LLC (CMS). See agreement no. 24-151.

Consider a Resolution Establishing Fees for Owl Box Cleaning Services by Canyon County Weed and Pest Department: Director Britton explained that in previous years there was a partnership with BSU for the owl box cleaning but the county has moved away from that agreement. As a solution, the county will take over the owl box cleaning service for a fee of \$100 per owl box. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the resolution establishing fees for owl box cleaning services by Canyon County Weed and Pest department (resolution no. 24-207).

Consider a Resolution Authorizing the Issuance of Quitclaim Deeds to Successful Bidders at the November 6, 2024 Auction of Surplus Property: This resolution authorizes the Board to sign the quitclaim deeds conveying the properties to the successful bidders. Payment has been received on each of the auctioned properties. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing the issuance of quitclaim deeds to successful bidders at the November 6, 2024 auction of surplus property (resolution no. 24-208).

As part of the legal staff update, Zach Wesley spoke about an IHRC complaint regarding the Coroner's Office. He has contacted MEK who have indicated they are available and accepted in writing. There really are no other procedural steps to be taken unless the Board prefers an engagement letter. The Prosecutor's Office is in concurrence with using MEK for this particular matter. Based on a comment from Mr. Rast, Mr. Wesley will check into name change of the firm in the original contract.

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

EXECUTIVE SESSION – PERSONNEL MATTERS AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (a), (b), and (d) regarding personnel matters and records exempt from public disclosure. 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, HR Director Marty Danner, Assistant DSD Director Jay Gibbons, and COO Greg Rast. Mr. Wesley and Mr. McRae left at 9:54 a.m. The Executive Session concluded at 10:21 a.m. with no decision being called for in open session.

Appointment of Interim Director of Development Services:

Commissioner Holton said that the Board has met in executive session with Mr. Gibbons to discuss concerns on both sides. A compensation adjustment will be made to be commensurate with the position. The job posting for a full-time director will be opened after the first of the year as Director Danner believes that will offer a better pool of candidates and also allows an opportunity to review the job description. Commissioner Holton made a motion to appoint Jay Gibbons as the interim DSD Director, that HR compute and provide an updated blue sheet [status change form] on adequate compensation for the position he's stepping into for the interim and that we go forward with this with the full intent of advertising in the future to seek out a full-time candidate and that Jay [Gibbons] is more than welcome to be a part of that applicant pool at that time if he chooses to do so. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 10:25 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 10:33 a.m. for a DSD General Business meeting. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, Deputy P.A. Aaron Bazzoli, Interim DSD Director Jay Gibbons, Planning Supervisor Carl Anderson, DSD Office Manager Jennifer Almeida, DSD Permit Supervisor Cassie Lamb, Director of Constituent Services Aaron Williams, COO Greg Rast, and Deputy Clerk Jenen Ross.

Mr. Gibbons said the first public hearing regarding the APA took place on Thursday evening where information was provided, comments received and questions answered but consideration by the P&Z Board was tabled until 11/21 in order to give agencies time to provide comments. Four individuals appeared to provide comments, which were summarized as follows:

- Not in favor of the ordinance as written from the standpoint of they really want to see it in areas of city impact to encourage smaller acreage farms/urban farming.

- What is the incentive was for the property owner to establish their property as a preservation area? Didn't feel there was enough incentive for farmers to use as it stands.
- Other comments were in relation to the area of city impact prohibition and buffer, and the increase in fees for the comp. plan amendment that would bring those newly approved ag protection areas into the comp. plan map, it was thought that should be a cost absorbed by the county. Mr. Williams said that some commenters felt that if this is something provided by the state that everyone who meets the criteria should utilize it regardless of how close they are to the city and the areas of impact.
- Concerned with compatibility and consistency with development patterns.
- Questioned the requirement for soils classifications, Mr. Gibbons thinks this is important, any soil can be potential ag land depending on how ag is defined. Mr. Williams said that one of the justifications was in regard to wineries, if they have poor soil they would be left out without the option to protect their land.
- Concern regarding the portion in the ordinance pertaining to staff notifying the property owner that their time is about to expire, commenters feel staff should never send a reminder.
- Farmer property rights, felt this really gives the farming community more rights with their property than their neighbor who isn't within an APA.

Mr. Williams is working on a story map narrative and asked for the Board's input. This document provides a high-level explanation of what the APA is, criteria, review process as well as enrollment duration, and early termination. An open house is planned for November 19th to allow constituents to stop by and have a conversation around the ordinance and to see if there are any improvements that could be made by the county. Commissioner Holton is in favor and would like to see an invitation specifically sent to area ag organizations. Comments from the open house will be brought to the Board at subsequent DSD business meeting. Commissioner Van Beek would like to see the cities/city representative invited to the open house. Additionally, she wants as much attention as possible brought to the fact that unless there is an intentional choice to opt-out, identified life events could take someone off guard – 20 years is a long time to be locked in. The Board suggested that Mr. Williams extend an open house invite to a member of the legislative committee responsible for drafting the ordinance in order to answer questions regarding the intent.

Over the past couple of weeks, a flow chart has been created to illustrate the processes and decisions points of any application that is received into DSD. The pre-application phase is the customer service portion which could include questions about development, setback specific to their property, or factors that could affect a potential building permit. This initial stage allows them to determine the best route a constituent may need to take in order to achieve their goal. Mr. Gibbons addressed Commissioner Holton's question regarding proof of ownership when an inquiry is brought to them. Commissioner Holton would like to see something included for when an applicant doesn't respond to request from DSD staff if/when additional information is necessary; there needs to close-out timeframe for applications for non-responses. Based on a

comment from Commissioner Holton, Mr. Gibbons said the applications on hold could be quantified. Following review of the flowchart, the Board would like to see an additional line to the 'Decision Final' section that indicates the timeframe an applicant has to submit for reconsideration. Mr. Anderson clarified for the record that they do not currently require that someone present a warranty deed or any deed of sort to start an application inquiry. He said it is something they could definitely look into if someone submits an application that they also need to supply proof of ownership or affidavit of legal interest designating the inquirer. Commissioner Holton feels that it is fitting to only entertain questions from the property owner or their legally recognized agent. Commissioner Van Beek expressed her understanding of Commissioner Holton's point and Commissioner Brooks agreed with his point. Direction was given to Mr. Bazzoli that if there is a need, a policy may be necessary in order to protect DSD staff.

Mr. Gibbons said that on Thursday they talk more about solutions to the pre-application phase and that at a future meeting he intends to have a title officer join to further discuss the efforts in requiring a title report. A guideline needs to be worked thru in order to make sure all the pertinent information is accurately collected.

Commissioner Holton suggested Mr. Williams work with DSD staff to ensure this information is disseminated thru the website.

Commissioner Van Beek moved to adjourn the meeting.

Documents reviewed during the meeting are on file with this day's minutes.

The meeting concluded at 11:18 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO WALMART, INC. DBA WALMART FUEL STATION #2780

The Board met today at 11:31 a.m. to consider a resolution granting a new alcoholic beverage license to Walmart, Inc dba Walmart Fuel Station #2780. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks and Deputy Clerk Jenen Ross.

Commissioner Brooks has reviewed the application to sell beer and wine by the bottle, he is in favor and made a motion to sign the resolution granting a new alcoholic beverage license to Walmart, Inc dba Walmart Fuel Station #2780. The motion was seconded by Commissioner Van Beek and carried unanimously (resolution no. 24-209).

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

APPROVED CLAIMS

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

APPROVED NOVEMBER 15, 2024 PAYROLL

- The Board approved the November 15, 2024 payroll in the amount of \$2,405,600.09

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

CONSIDER THE ANNUAL JUVENILE JUSTICE REPORT TO THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS

The Board met today at 9:33 a.m. to consider the annual Juvenile Justice report to the Idaho Department of Juvenile Corrections. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Juvenile Probation Supervisor III Elda Catalano, Juvenile Probation Supervisor II Jose Orozco, and Deputy Clerk Jenen Ross. Mr. Orozco reviewed the report for fiscal year 2024 which covers the following areas:

- Supervised Diversion – one day snapshot
- Supervised Probation – one day snapshot
- Petitions filed during reporting period
- Recidivism

Discussion ensued regarding the use of opioid funds by Juvenile Probation.

Commissioner Brooks made a motion to sign the Annual Juvenile Justice report to the Idaho Department of Juvenile Corrections. The motion was seconded by Commissioner Van Beek and carried unanimously.

The meeting concluded at 10:01 a.m. and 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 10:03 a.m. with the HR Director to discuss general issues, set policy, and give direction. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, HR Director Marty Danner, COO Greg Rast, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. Director Danner reported on the following topics:

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

- Employee handbook project
 - A process handbook is needed on how to onboard and offboard people
 - Will have the employee handbook updated with the three most recent changes by the end of the week

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

EXECUTIVE SESSION – PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE

Commissioner Van Beek made a motion to go into Executive Session at 10:18 a.m. pursuant to Idaho Code, Section 74-206(1) (b) and (d) to discuss a personnel matter and records exempt from public disclosure. The motion was seconded by Commissioner Brooks. A roll call vote was taken on the motion with Commissioners Holton, Van Beek, and Brooks voting in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, HR Director Marty Danner, COO Greg Rast, and Deputy PA Zach Wesley. The Executive Session concluded at 10:43 a.m. with no decision being called for in open session. Upon the motion of Commissioner Van Beek there was Board consensus to adjourn.

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

CONSIDER AGREEMENT WITH COMPUTER ARTS, INC FOR INDIGENT SERVICES/BOARD OF COMMUNITY GUARDIANS

The Board met today at 11:00 a.m. to consider an agreement with Computer Arts, Inc for Indigent Services/Board of Community Guardians. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Director of Indigent Services Yvonne Baker, Controller Kyle Wilmot, and Deputy Clerk Jenen Ross. Mr. Wesley explained this is a long-standing relationship with CAI. The agreement contains an auto renewal clause but the company has requested the agreement be signed annually.

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the agreement with Computer Arts, Inc. for Indigent Services/Board of Community Guardians (agreement no. 24-153).

The meeting concluded at 11:03 a.m. and an audio recording is on file in the Commissioners' Office.

COMMISSIONERS TOURING THE WEST VALLEY HUMANE SOCIETY OPEN HOUSE EVENT

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

NOVEMBER 2024 TERM

CALDWELL, IDAHO NOVEMBER 14, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE 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, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Oscar Klaas (left at 9:42 a.m.), Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae (left at 9:42 a.m.), Solid Waste Director David Loper (left at 9:39 a.m.), COO Greg Rast, and Deputy Clerk Jenen Ross.

Public hearing to take comments regarding the sole source procurement regarding the build out and purchase of a water tank for the landfill and to consider an action item: The hearing was opened by Commissioner Holton although no one appeared to offer comment and no comments were received in any other manner. Due to the unique nature of this purchase, sole source procurement is necessary. Commissioner Holton closed the public hearing.

Consider Executing Purchase of water tank and installation services for water tank from Utility Truck and Equipment: Director Loper said they are in the process of securing a new water truck; the plan is to purchase the truck and chassis from Kenworth and then have the water tank portion built out. The build out for the truck and chassis is about \$130,345. Due to supply-chain issues the build

is 6-7 months out so Director Loper is working to get everything in place so that it can be completed prior to the end of FY2025. Total budgeted for this project is approximately \$300,000. Commissioner Van Beek made a motion for the Board to sign the purchase of a water tank and installation on sole source services for a water tank and utility truck and equipment as presented. The motion was amended to just the water tank. The motion was seconded by Commissioner Brooks and carried unanimously. The sales agreement will be signed by Director Loper which will then be submitted with the purchase order to the Board.

Mr. Klaas gave an update on a repeater donation recently made to a ham radio group. Subsequently another repeater has been discovered that would be useful but the value exceeds the county's donation threshold. In speaking with EOM Wendelsdorf, the solution they've come up with is an MOU with the club in order to grant them access to use the repeater although the county will retain ownership and the right to use the repeater in an emergency situation. The Board is supportive of this action and the preference would be to have the MOU come thru the Board for authorization but will need to include Sheriff's Office signatures.

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

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

Commissioner Van Beek made a motion to go into Executive Session at 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, and COO Greg Rast. The Executive Session concluded at 10:22 a.m. with no decision being called for in open session.

The meeting concluded at 10:22 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 10:36 a.m. for a DSD General Business meeting. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, Interim Director of DSD Jay Gibbons, Planning Supervisor Carl Anderson, Office Manager Jennifer Almeida, COO Greg Rast and Deputy Clerk Jenen Ross.

Mr. Gibbons said today they intend to discuss their solution to parcel inquiry issues. Mr. Anderson reviewed a PowerPoint which addresses the way they intend solve the issue, the slides were as follows:

- Current "Parcel Inquiry" Process
 - Two types of questions in one application process:

- Property Specific Zoning Inquiry (e.g. Zoning, Setbacks, flood plain)
 - Status of Entitlements (e.g. is a building permit / land division available?)
- Review and Service Provided
 - Research is primarily done by staff.
 - Staff provides code analysis & interpretation
- Type 1 – Examples of general information questions
- Type 2 – Examples of status of entitlement questions
- Moving Forward
 - Change roles and time involvement
 - Separate General Inquiry questions from Status of Entitlement questions
 - Research/Documentation Required by Property Owner
 - (Title Report/Deeds/Survey)
 - Staff provides code analysis & interpretation – *Commissioner Holton wants to make sure it's clear to the public that this is a general code analysis and if a person is looking for a legal opinion they will need to contact a land use attorney.*
 - All property specific questions will require staff time tracking per inquiry
- Ordinance Update
 - Definition of Original Parcel Updated
 - Simplify and explore limitation of Administrative Division
- Property Specific Zoning Inquiry Questions require staff code analysis
 - Until new fee schedule update it is flat fee of \$40
 - Update Fee schedule- fee is \$75/hour
- Status of entitlement questions require documentation prior to staff engagement
 - Expected to reduce staff time on these types of inquiries
 - Deeds, Title Reports and site plan required from property owner
 - DSD will prepare an FAQ for what documents are needed and title products/or explore feasibility of contract services
 - Staff code analysis for eligibility and appropriate process is still recommended
 - Applicants can apply without the staff code analysis but disclaimer it could result in denial if wrong application is submitted
 - Potential increase in quantity of both hearing / administrative level cases being submitted, and time will be higher if the code analysis is not done prior to submittal
 - Update Fee schedule- fee is \$150 (\$75/hour, with a minimum of 2 hours, non-refundable deposit)
- Next Steps
 - Implement new process
 - FAQ prepared and updated on website and socialized

- Update fee schedule
- Update definition of Original Parcel in ordinance
- Simplifying and explore limitation of administrative division process in ordinance

Discussion ensued as to how Ada County handles parcel inquiries and land divisions, recognition that Canyon County needs to correct the issue, and Commissioner Holton's frustration with the situation.

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

The meeting concluded at 11:18 a.m. and an audio recording is on file in the Commissioners' Office.

CANVASS THE NOVEMBER 5, 2024 ELECTION RESULTS

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

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

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

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

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

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

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

Public testimony was as follows:

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

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

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

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

Deborah Troncale lives on Goodson Road and she read a letter of opposition from Debbie Perryman, who also lives on Goodson Road, regarding the following concerns: increased traffic

and safety issues on the road; the section of roadway near the subject property is not striped nor are there any speed limit signs; there rolling hills obstructing views; it's not a through road and dead ends at the freeway; there is no available turnaround; guests consuming alcohol at the events and driving in an unfamiliar area; and the disruption to the quiet rural setting. The Board had follow-up questions for Ms. Troncale and for staff.

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

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

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

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

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

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

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

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

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

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

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

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

While in open session, Deputy PA Wesley said the Board received a request for reconsideration from Samuel Parry on behalf of the Hoaglands who had filed for an application for an administrative land division and then subsequently filed an appeal of the Director's decision to the Board. The written findings originally indicated that it was subject to the LLUPA judicial review provisions but Deputy PA Wesley believes that language was left in the findings in error and it is

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

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 15, 2024

No meetings were held this day.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 18, 2024

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

OKLAND / HUMMEL PRESENTATION ON SHERIFF'S ADMINISTRATION BUILDING - GMP

The Board met today at 1:30 p.m. for an Okland / Hummel presentation on Sheriff's administration building – GMP. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Oscar Klaas, Sheriff Kieran Donahue, Chief Deputy Sheriff Doug Hart, Cpt. Harold Patchett, Facilities Director Rick Britton, Assistant Facilities Director Carl Dille, Clerk Rick Hogaboam, Controller Kyle Wilmot, Director of Court Operations Jess Urresti, Auditing Supervisor Sarah Winslow, Director of Constituent Services Aaron Williams, COO Greg Rast, Brian Coleman and Jeff Parks with Hummel Architects, Bill Valdez with K & B Architects, Scott McCardy and Ben Petzinger with Okland Construction, and Deputy Clerk Jenen Ross.

Director Britton explained this facility is a huge need for the Sheriff's Office as well as the county campus and the citizens of Canyon County.

An update was given on the history regarding initial concept and pricing of the building which was large and expensive, they then went back to the drawing board, meeting with all pertinent parties and came up with a reduced square footage of 32% and a reduction in cost of over 22% which provides what the Sheriff needs today and the priorities of future needs. As the project moves forward there will continue to be an effort to refine the project and look for efficiencies and cost savings.

Mr. Valdez provided a review of the site and landscape plan including prohibited parking areas, design elements, landscaping, and building blueprints showing arrangement of Sheriff's Office

divisions and entries. Additionally, the exterior views were reviewed focusing on design elements including use of materials for longevity.

This plan and materials have been reviewed for the past several months and bidding was passed to Okland in September. The city's permitting process for the building permit is partially complete and they are hoping to break ground in January 2025 with construction complete in the spring of 2026. The bid process has adhered to all county procurement guidelines, public works licenses have been confirmed, and project prequalification for all bidders has been done. There has been a lot of interest in the project and they've gotten a lot of really good numbers. The NTE budget was about \$28,500,000 but they've come in under that with some enhancements to the building.

Review of contracted work:

- 18% - Canyon County businesses
- 84% - Treasure Valley businesses
- 91% - within Idaho businesses
- 7% - outside Idaho businesses

High-level cost breakdown:

- Office: \$23,787,546
- Site: \$1,198,273

Board questions were addressed regarding some of the design elements and Commissioner Van Beek's question regarding general conditions and requirements were addressed.

The PowerPoint presentation and 100% Construction document GMP proposal is on file with this day's minutes.

The meeting concluded at 2:03 p.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 2:30 p.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution granting a new alcoholic beverage license to Walmart, Inc. dba Walmart Fuel Station #4180: ISP has signed off on this license to sell beer and wine by the bottle. Upon the motion by Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to Walmart, Inc. dba Walmart Fuel Station #4180 (resolution no. 24-210).

Consider a resolution granting a change in application to MCO Idaho LLC dba Mesquite Creek Outfitters: This is a change in application by an established Caldwell business to add the sale of

liquor. ISP has signed off on this license. Upon the motion of Commissioner Brooks and second by Commissioner Holton the Board voted unanimously to sign the resolution granting a change in application to MCO Idaho dba Mesquite Creek Outfitters (resolution no. 24-211).

The meeting concluded at 2:32 p.m. and an audio recording is on file in the Commissioners' Office.

NOVEMBER 2024 TERM

CALDWELL, IDAHO NOVEMBER 19, 2024

APPROVED CATERING PERMITS

The Board approved an Idaho Liquor Catering Permit for:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Cynthia Avila, promotion to Juvenile Detention Supervisor I
- Nicole Nieves, Desktop Support Specialist – new hire
- Jaycee A. Aldous, Customer Service Specialist – temporary assignment during December collection season

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

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

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

The Board met today at 9:35 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. Oscar Klaas (left at 9:40 a.m.), Deputy P.A. Trent McRae, Treasurer Jennifer Watters, Cpt. Chuck Gentry (left at 9:40 a.m.), Sheriff Kieran Donahue (left at 9:40 a.m.), Sr. Administrative Specialist Cherry Kelly (left at 9:40 a.m.), Sgt. Chad Bingham (left at 9:40 a.m.), Facilities Director Rick Britton (left at 9:40 a.m.), Joe Cox (left at 9:45 a.m.), Property Appraiser Supervisor Holly Hopkins (left at 9:45 a.m.), Controller Kyle Wilmot,

Director of Constituent Services Aaron Williams, COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Lease Agreement with Norman Family Trust: This is the annual renewal and has been reviewed by legal. The lease amount remains the same. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the lease agreement with Norman Family Trust (agreement no. 24-156).

Consider Federal Annual Certification Report and Annual Equitable Sharing Agreement: This is the standard agreement that is entered into annually. Legal has reviewed and has no issue. Sheriff Donahue explained this is funds, property or equipment that is seized by CCSO which they are then required by law to report and be processed thru the court system. If the court sees fit these assets can then be awarded to investigating agencies. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Federal Annual Certification report and Annual Equitable Sharing agreement (agreement no. 24-155).

Consider Notice of Public Meeting to Taxing Districts: A notice has been prepared and reviewed by legal to notice relevant taxing districts of a 63-602NN tax exemption that will be considered by the Board on December 2nd. Joe Cox said they've worked with this company for a while and they meet all the requirements set forth by the county to qualify for an exemption. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the notice of public meeting to taxing districts. A copy of the notice is on file with this day's minutes.

Consider Agreement for Development Impact Fee and Capital Improvement Plans with TischlerBise, Inc.: Mr. Williams explained that a priority for him has been to work on updating impact fees and creating a capital improvements plan. TischlerBise will assist in determining how impact fees can be collected and utilized. Following that, a CIP will be created to identify deficiencies within the county and determining where to put the dollars for improvements. TischlerBise has previously worked with the ambulance district on impact fees as well as other area agencies. This expense has been budgeted for within Constituent Services. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the agreement for Development Impact Fee and Capital Improvement Plans with TischlerBise, Inc. (agreement no. 24-154). Mr. Wesley confirmed this agreement was prepared by legal with assistance from Director Williams. He explained that this contract is exempt from the procurement process because it is a personal services agreement, will be capped at approximately \$85,000 and billed monthly based on the work performed with a 5% retainage.

Consider Resolution Authorizing Cancellation of Taxes on Property Transferred to Highway District No. 4: This resolution will cancel the \$580 in taxes due on property recently transferred from the county to Highway District No. 4. Treasurer Watters said the majority of the amount due is related to tax deed fees. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the resolution authorizing the cancellation of taxes on property transferred to Highway district No. 4 (resolution no. 24-212).

Commissioner Holton made a motion to continue the legal staff update to 4:00 p.m. today. The motion was seconded by Commissioner Van Beek and carried unanimously.

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

The meeting concluded at 9:54 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS MEETING

The Board met today at 10:31 a.m. for a DSD general business meeting. Present were: Commissioners Brad Holton and Leslie Van Beek, Interim DSD Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Associate Planner Amber Lewter, DSD Associate Planner Maddy Vander Veen, Constituent Services Director Aaron Williams, Phil Archer and Tayler Tibbitts from Fidelity National Title, COO Greg Rast, and Deputy Clerk Monica Reeves. Interim Director Gibbons said as there have questions as to what a title report provides through the process of evaluating an existing property as to original parcel and the potential for administrative splits, he invited Phil Archer to speak about what the process is and what it costs. Mr. Archer said anytime a report is ordered they do background research back to the last deed of record or the last time they insured, and they issue a provisional policy or commitment of policy that shows all the exceptions that would pertain to that parcel including the legal description and current vested owner. They do not go back to a certain date; they go back to the date of the last original deed so if that deed was not prior to 1979 you would have to ask for an original deed prior to 1979 which is an additional service they can provide. And then the County can compare the legal description from the original parcel in 1979 of the deed that was last associated there to the new/current deed of record and determine whether they are the same and if they were, then it meets the standards. If it doesn't then there is far more research involved that they could assist in providing the documentation to but they cannot interpret or specify what has changed. They can read a legal description to determine what occurred that made it different but they cannot tell why - they can't tell whether it's a split, adjustment, etc. Any title company can provide a list of all the deeds of record that would show the history of that parcel but beyond that the exceptions do not provide any validity that would say this meets your description under statute unless the statute was amended for some purpose. Interim Director Gibbons said the title report provides the research that DSD utilizes to evaluate against the code, and the title companies can provide information in short order. If we move to have a property owner apply for a request that they will provide this information on, be it a title report or whatever the property information is that's great, but if we do something without a title report that's a burden on the Assessor's Office and Recorder's Office because it may involve searching microfiche records and other sources. This is a more expedient and cost effective way to get the research. Planning Supervisor Carl Anderson said there are two different types of applications: with a zoning inquiry and entitle research component, the intent is to remove the research from staff's due diligence and put that back on the applicant submitting the entitle research application so DSD will request a lot book report be submitted with the application

to provide the last deed of record and include the last deed prior to 1979. They will need the vested owner, the current legal description, the legal description prior to our date of record (9/6/1979) and if those two things are different we'll need that change of deeds between those two dates to identify the discrepancies. The lot book with that information would come to staff and they could provide the analysis with the tools and research provided so they could interpret code and if they need to they would engage the County surveyor to provide the mapping service of any additional interpretation needed. The intent is to remove staff's portion of the time on the research end, but they would still have the staff time on the interpretation, but it's anticipated it would greatly reduce time staff involvement. A citizen would come to DSD providing the research and staff will provide the service of interpreting the ordinance and telling them the best path forward. It would be optional. We could require this on the applications in tandem so if someone opts not to DSD would still need to evaluate it and that would be part of the review. The reason DSD is recommending it still be a service they provide is if they remove it, it may increase the number of hearing cases, administrative cases, and applications that someone may not be eligible for, and we could save a lot of time on the frontend. Interim Director Gibbons said every application is different and they are trying to find the most efficient way to provide a service to the community and the property owner and get them where they need to be as best they can. The Board had follow-up questions. Planning Supervisor Anderson said under the current process they could submit a parcel inquiry and apply whether they agree with the parcel inquiry or not, but they would still provide the service if somebody opts in and wants to utilize the service of finding out what the best path forward for them is - with them providing the research component, but staff would still need that information for applications as they are evaluating something for an administrative division.

Projected cost for a title report:

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

Follow-up discussion ensued including on the topics of the proposed fee schedule notification process, and definition of an original parcel. Interim Director Gibbons said our definition includes an *and* it refers to platted lots and parcel land and we need to change the semantics of the definition to clear up the ambiguity. Commissioner Holton does not want to change the date, he

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

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

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

Case no. 2025-4: An application was received from Potter Funeral Home in Emmett, however, it's a Gem County application for cremation which was filled out by the decedent's father and is largely incomplete. Following an investigation, Indigent Services was not able to determine the decedent was a Canyon County resident 30-days prior to his passing. Commissioner Van Beek made a motion to deny the application based on information indicating he was not a Canyon County resident and an incomplete application. The motion was seconded by Commissioner Holton and carried unanimously.

The meeting concluded at 11:36 a.m. and an audio recording is on file in the Commissioners' Office.

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

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

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

DSD Principal Planner Michelle Barron gave the oral staff report. The development consists of 18 residential lots and 4 common lots, including a private road lot on approximately 40.84 acres. The subject property, parcel number R35590, is located at 0 Linden Road. The property will take access off Linden via new private road, Birchwood Lane. There is an easement that will provide access to

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

Public testimony was offered as follows:

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

Greg Bullock testified about his involvement with the Rhett's Acres project and his knowledge of the development on Tranquil Lane. As part of the development he was working on he became

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

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

During rebuttal testimony Elwin Butler said if they proceed to meet city annexation requirements, an agreement will be required for each lot that when the city is able to annex they will have to annex and pay annexation and connection fees at that point. Personally, he has a difficult time with that because if he is putting in a well and septic and has to abandon those and connect to city water/sewer and pay those fees that will be a heavy burden on a rural lot. He addressed the head gate on Tranquil Place and said once the new road is put in with a cul-de-sac it will end by the head gate so it will reduce requirements to service it from Tranquil Place. He said he widened the easement to 60 feet and after objections from neighbors he reduced it to 30 feet, which is what the highway district originally required for that secondary access. It will be gated. He would like the Board to uphold the P&Z Commission's recommendation excluding the city's annexation

requirement. In order for a developer to annex they will have to have 40 acres to justify bringing water/sewer, putting in lift stations, and updating easements through properties to do that and with all of the small rural lots it's not practical for annexation to happen.

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

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

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

Deputy PA Wesley addressed the question of what is the proper notice to the City of Caldwell using our area of impact waiver. The waiver to the city implies that we have an application for a waiver and that sounds like it's separate than the preliminary plat application. Has the County explicitly told the city that we are considering a waiver and asked for comment, or has it come through the applicant? Planning Supervisor Anderson said we do not have an application in place. Principal

Planner Barron said it's her understanding that the applicant has to contact the city and request a waiver. Deputy PA Wesley said it sounds like that has been our process and they have met our regular routine process. Supervisor Anderson said it may be a process we want to look at because it uses the word *application* but that can be informal. Deputy PA Wesley said the development agreement has a condition that says the applicant will comply with the proposed conditions of the City of Caldwell Engineering and the Director of the City of Caldwell P&Z Department letters as seen in Exhibit D, Attachments 7F and 7G, with the exception of a public water system which is waived. If we override the conditions of approval on the development agreement with the preliminary plat someone could later challenge the agreement and say they didn't comply and we would have to go through a process to either amend it or void it so it creates a technical problem for us. If the Board wants to change the development agreement you have an application to amend it that's separate from this preliminary plat application. They should be separate entitlements processes and they should work together and one shouldn't override the other at a later stage is how our system is built, but it could very much depend on what is said in those exhibits because they may say we will follow the City of Caldwell's Engineering and Director of the Caldwell P&Z Department's instructions but those may include the option for a waiver, although he doesn't know since he hasn't seen the letters. Commissioner Brooks asked what in the development agreement the Board is looking to amend? He thought in the decision on the rezone we wholesale waived Caldwell's requirements. Commissioner Holton said we did not. The P&Z Commission wanted to wholesale waive that, but they didn't take into consideration that we have a development agreement on the change in zone. Commissioner Brooks wants to see that because he has no idea why he would make the comment that he is in substantial approval of the application without making it adhere to standards that we didn't make some other subdivision adhere to, but yet we passed it anyways? That doesn't sound right to have subdivision requirements on one but not the other. DSD Planning Supervisor provided clarification on the documents identified as Exhibits 7F and 7G, which are referenced as part of the condition, but he is unable to find those documents in the current record for today's consideration. DSD Principal Planner Barron said they are part of the record but they are referenced as Exhibit 6H and 6I, under Exhibit III. Upon review Commissioner Brooks said the second bullet point states development shall comply with the City of Caldwell subdivision requirements within the City of Caldwell, and he asked if that is saying it needs curb and sidewalk? Because if it is, he cannot believe the Board approved the rezone one year ago with those intact. Commissioner Holton would like DSD and Legal to do some research and give advice to the Board. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing to December 2, 2024 at 3:00 p.m. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 3:44 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER FCO'S REGARDING AMY MALLARD'S APPEAL OF THE DIRECTOR'S DECISION TO GRANT A REQUEST BY IDAHO POWER TO ESTABLISH A NEW ELECTRICAL SUBSTATION, CASE NO. AD2024-0046-APL

The Board met today at 3:46 p.m. to consider the Findings of Fact, Conclusions of Law, and Order (FCO's) regarding the 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 Leslie Van Beek, Brad Holton and Zach Brooks, Deputy PA Zach Wesley, DSD Principal Planner Deb Root, DSD Planning Supervisor Carl Anderson, and Deputy Clerk Jenen Ross.

The Board heard this case on October 17, 2024 where Commissioners Holton and Brooks voted to deny the appeal by Amy Mallard. Commissioner Van Beek was opposed to the motion to deny the appeal. Today the Board met to review the FCO's prepared by staff.

Ms. Root said that legal has reviewed the revised FCOs presented by staff. A condition was added for the landscaping to be reflective of the landscaping at the Beacon Light substation.

Commissioner Van Beek made a motion to approve the FCOs as presented by staff on case no. AD2024-0046-APL. The motion was seconded by Commissioner Brooks to approve the FCOs, hereby denying the appeal and affirming the director's decision.

The meeting concluded at 3:50 p.m. and an audio recording is on file in the Commissioners' Office.

CONTINUED MEETING WITH COUNTY ATTORNEYS FOR A LEGAL STAFF UPDATE

The Board met today at 4:01 p.m. for a continued meeting with county attorneys for a legal staff update. Present were: Commissioners Leslie Van Beek, Brad Holton, and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, HR Director Marty Danner, COO Greg Rast, and Deputy Clerk Jenen Ross.

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

EXECUTIVE SESSION – PERSONNEL MATTERS

Commissioner Van Beek made a motion to go into Executive Session at 4:01 p.m. pursuant to Idaho Code, Section 74-206(1) (b) regarding personnel matters. The motion was seconded by Commissioner Brooks. Commissioner Holton took a roll call vote where he along with Commissioners Van Beek and Brooks voted in favor of the motion to enter into Executive Session. The motion carried unanimously. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, HR Director Marty Danner, and COO Greg Rast. The Executive Session concluded at 4:21 p.m. with no decision being called for in open session.

APPROVED CLAIMS

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

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

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

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms:

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

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

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

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

CR2021-0012, AND THE SHORT PLAT FOR EDENBROOK ESTATES SUBDIVISION, CASE NO. SD2021-0057

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

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

The updated plats were received last week and are still being reviewed by the County's engineering department so Planner Barron is requesting the hearing be continued to allow time for the engineering department to make sure everything is satisfactory. The in-house engineer is reviewing the plat with the assistance of the engineering firm that Canyon County contracts with and she has assured Planner Barron that it will be completed by this week. Commissioner Holton made a motion to pause this portion of the hearing and continue it to December 3, 2024 at 3:00 p.m. The motion was seconded by Commissioner Brooks and carried unanimously. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn at 1:43 p.m. An audio recording is on file in the Commissioners' Office.

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

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

Prior to entering into the executive session, the Board asked Mr. Williams to provide an update on the APA open house that was held last night. He said the turnout was significant with many people voicing their opinions about this issue. They still need to review the comments received but some of the high-level themes based on conversation included a lack of incentive to use the APA, didn't like that the BOCC has the final say and that the APA commission would only provide a

recommendation, and expressed a desire for those actively involved in agriculture to write the ordinance. Mr. Williams and Mr. Gibbons were able to speak with the participants and give an overview on how the process progressed, compliance, and working within the parameters set forth by the state. Several people expressed concern regarding the impact areas, they didn't want that to be a barrier in utilizing the APA; they felt that if property met the criteria of being 5 contiguous acres the APA should be able to be utilized as it's a property right.

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

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

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

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

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

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

Commissioner Holton said the BOCC is very interested in what the public has to say at the P&Z meeting happening this Thursday night. He noted for the record that the APA is not the Canyon County Commissioners' idea, this is the legislature's idea and if people have issues with it he suggests they talk with their state legislators. The county is trying to follow the statutes that have been put down, the county was not asked, it was just done. Commissioner Van Beek supported Commissioner Holton's comment and said for those who object to the BOCC, under Idaho State Statute Title 67 for the Land Use Planning Act – that is where land use decisions fall. The Board is elected officials, she feels this is a great board that is interested in long-range planning and development as well as looking at how to preserve what attracts people to this area. To assign

that kind of power to a subsidiary group that is not elected by the people, in her opinion, is the wrong move. She would also not want the Idaho State Legislature overstepping into county business where they would be dictating what's happens with a farmer's land. She offered additional comments about generation farming and the dedication it takes from those families.

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

Commissioner Van Beek spoke about how she feels this may be a way to protect farmers from being taken advantage of and that as far as she knows this legislation was targeted exclusively at counties. She feels the goal is to create areas that don't create a high service call outs in the future, to work together in that effort to create a beautiful county. In her mind, the job of the county commissioners is to ensure that what's being planned for the future is still a good place for kids to live that's safe and has unique features. If there is a land-grab happening, it's happening between the cities for the tax base, so the board is doing their best to hold the line and develop quality areas for people to live.

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

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

county. Commissioner Holton suggested utilizing Steve Onofrei as a contact resource in the smaller cities.

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

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

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

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 21, 2024

Commissioners attended the Idaho Association of Counties Fall County Officials Institute

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 22, 2024

Commissioners attended the Idaho Association of Counties Fall County Officials Institute

APPROVED CLAIMS

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

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 25, 2024

There were no meetings held this day.

APPROVED CLAIMS

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

APPROVED NOVEMBER 29, 2024 PAYROLL

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

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Crimestoppers in the amount of \$5,820.00 for the Sheriff's Office (PO #6109)
- Covenant Security Equipment in the amount of \$5,623.08 for the Facilities Department (PO #6143)
- Right Systems in the amount of \$18,744.58 for the Information Technology Department (PO #6155)
- SHI in the amount of \$21,855.00 for the Information Technology department (PO #6157)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

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

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 and Brad Holton, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Laura Keys, Facilities Director Rick Britton (left at 9:56 a.m.), Cpt. Harold Patchett (left at 9:56 a.m.), Clerk Rick Hogaboam (arrived at 9:31 a.m.), HR Director Marty Danner (left at 9:37 a.m.), COO Greg Rast (arrived at 9:37 a.m.), Director of Constituent Services Aaron Williams, Controller Kyle Wilmot (arrived at 9:37 a.m.), and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider signing Request for Proposals for Human Resources Information System and/or Payroll System: Director Danner explained this is in response to the high cost of ADP and lack of modules the county is unable to obtain. HR would like to explore other options and this RFP will allow for that to happen. Ms. Danner also explained that when she explained the situation to ADP they provided a reduction in cost. The contract is non-binding for the county to receive the new business incentive. Commissioner Van Beek made a motion to sign the request for proposals for Human Resources Information System and/or Payroll System and the existing/new agreement as presented by Director Danner to continue with the ADP as it exists (*this contract was ratified on December 3, 2024*). The motion was seconded by Commissioner Holton and carried unanimously.

Consider signing Legal Notice for Request for Proposals for Human Resources Information System and/or Payroll System: No motion was made for this action item.

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 9:37 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 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. Laura Keys, Facilities Director Rick Britton, Cpt. Harold Patchett, Clerk Rick Hogaboam, COO Greg Rast, and Controller Kyle Wilmot. The Executive Session concluded at 9:54 a.m. with no decision being called for in open session.

Consider signing Letter providing notice to All Detainment Solutions that County will not exercise purchase option within Section 16 of Temporary Detention Facility Equipment Lease Agreement:

Commissioner Van Beek made a motion to postpone this action item to next Tuesday, December 3rd at 9:30 a.m. with legal staff. The motion was seconded by Commissioner Holton and carried unanimously.

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 9:57 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. Laura Keys, Clerk Rick Hogaboam, COO Greg Rast, and Controller Kyle Wilmot. The Executive Session concluded at 10:08 a.m. with no decision being called for in open session.

The meeting concluded at 10:08 a.m. and an audio recording of the open portion of the meeting is on file in the Commissioners' Office.

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

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

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

The Board met today at 11:00 a.m. to consider the Idaho Department of Juvenile Corrections (DJC) Juvenile Justice Annual Financial Report. Present were: Commissioners Brad Holton and Leslie Van Beek, Juvenile Probation Supervisor III Elda Catalano, Juvenile Probation Supervisor II Jose Orozco, COO Greg Rast, and Deputy Clerk Monica Reeves. Ms. Catalano said the report is prepared by the Auditor's Office and accounts for the sources of funding the department receives for tobacco, lottery, and the juvenile corrections act fund. Of the \$510,047 they received, they spent \$360,271 in personnel and \$128,000 in operating expenses which left them with \$20,907. For the past seven years they have spent every dollar received from the DJC, except this year where there is \$20,907 in unspent tobacco funds. Typically, when they have unspent funds they ask DJC to allow them not to refund the money because they want to spend it on the operations of juvenile

probation. Ms. Catalano suggests the funds be spent on DocuSign expenses and to update their computer equipment. Commissioners Holton and Van Beek support the request. Upon the motion of Commissioner Van Beek and the second by Commissioner Holton, the Board voted unanimously to sign the Idaho Department of Juvenile Corrections Juvenile Justice Annual Financial Report noting that there is a carryforward balance of \$20,907. The meeting concluded at 11:08 a.m. An audio recording is on file in the Commissioners' Office.

NOVEMBER 2024 TERM
CALDWELL, IDAHO NOVEMBER 27, 2024

No meetings were held this day.

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

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

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

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

DATED this 5th day of February, 2025.

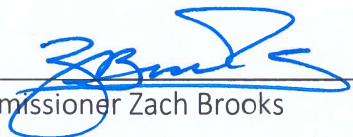
CANYON COUNTY BOARD OF COMMISSIONERS



Commissioner Leslie Van Beek



Commissioner Brad Holton



Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: J Ross, Deputy Clerk

CONSIDER SIGNING A RESOLUTION GRANTING TRACTOR SUPPLY COMPANY A PROPERTY TAX EXEMPTION PURSUANT TO IDAHO CODE § 63-602NN

The Board met today at 9:31 a.m. to consider a resolution granting Tractor Supply Company a property tax exemption pursuant to Idaho Code § 63-602NN. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Laura Keys, Deputy P.A. Trent McRae, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, Certified Property Appraiser Supervisor Mike Cowan, Certified Property Appraiser Supervisor Holly Hopkins, Director of Constituent Services Aaron Williams, Sr. Certified Property Appraiser Dawn Houghton, COO Greg Rast, Robin Sellars with the City of Nampa, Denise Mullis, Scott Wheatley and Mike Mullis with Tractor Supply Co., and Deputy Clerk Jenen Ross.

Ms. Keys explained that legal has reviewed, exhibit C contains the force majeure language which has been previously reviewed and discussed otherwise the resolution contains standard 63-602NN language.

Mr. Mullis spoke about some of the challenges they've worked through and his appreciation of the working relationship with SHPO, Corp of Engineers, Ms. Sellars and Ms. Keys.

Mr. Wheatley and Ms. Mullis gave a brief overview of the company, what they will be able to offer the community, and reviewed a PowerPoint presentation.

Mr. Mullis clarified that they still have some work to get done before they're able to build, which is mainly related to a lateral canal on the site. They are working with the Corp of Engineers, SHPO and Pioneer Irrigation District on those logistics. There is a timeline associated, and they need to have the permit by March 1, 2025.

Ms. Sellars offered her comments regarding Nampa's excitement about Tractor Supply Co. coming to Canyon County and believes it will be very beneficial to the community. The Board offered their comments on this exemption.

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution granting Tractor Supply Company a property tax exemption pursuant to Idaho Code § 63-602NN (resolution no.24-213).

The meeting concluded at 9:53 a.m. An audio recording and a copy of the PowerPoint presentation are on file in the Commissioners' Office.

MEETING TO CONSIDER HARDSHIP/CASUALTY LOSS APPLICATIONS

The Board met today at 10:04 a.m. to consider hardship/casualty loss applications. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, Certified Property Appraiser Supervisor Holly Hopkins, Director of Constituent

Services Aaron Williams, COO Greg Rast, Jose and Dawna Rodriguez, Treasurer Jennifer Watters (arrived at 10:12 a.m.), and Deputy Clerk Jenen Ross. The following applications were considered by the Board:

Consider Hardship/Casualty Loss Application for Jose and Dawna Rodriguez, Parcel 228655453 0:

This application is for the cancellation of taxes back to the date of the fire. The tax amount to be forgiven is \$1148.34. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the hardship/casualty loss application for Jose and Dawna Rodriguez, parcel no. 228655453 0.

Consider Hardship/Casualty Loss Application for Derby Family Trust, Parcels 25089000 0, 25087000

0, 25086010 0, & 25086010B 0: This loss is related to the microburst that happened earlier this year. The amount to be forgiven is \$92.10. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the hardship/casualty loss application for Derby Family Trust, parcel nos. 25089000 0, 25087000 0, 25086010 0, & 25086010B 0.

Consider Hardship/Casualty Loss Application for Peterson Family Trust, Parcel 25091000 0:

This loss is also related to the microbursts earlier this year. The amount to be forgiven is \$151.26. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the hardship/casualty loss application for Peterson Family Trust, parcel no. 25091000 0.

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

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

The Board met today at 1:34 p.m. for a continuation of the public hearing in the matter of an appeal by Jeff Ransom for a conditional use permit to allow a special event facility use within an "A" (Agricultural) zoning district, Case No. CU2021-0016-APL. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Supervisor Carl Anderson, DSD Principal Deb Root, other interested citizens, and Deputy Clerk Monica Reeves. The Board held a hearing on November 14, 2024 and subsequently voted to deny the appeal, but continued the portion of the hearing where it would address what steps, if any, the applicant could take to gain approval. Today staff presented the Board with revised draft FCO's based on the notes from November 14, 2024 hearing. Commissioner Van Beek said the following would help gain approval: The applicant offered to expand the parking for the facility; the road needs to be at County standards; limit the number of guests; there is a need for public drinking and a community well; pave the loop so vehicles do not get stuck; and provide proof that the 15-foot easement exists. Commissioner Brooks disagrees and said he doesn't believe any of those items would help gain approval primarily based upon what he perceives to be the negative effects on the area. He is not sure how to fulfill the requirement other than the applicant purchasing the neighboring properties. It was an easy denial due in large part to it being a residential area becoming more residential; the proposed use does not fit that area. Commissioner Holton agrees with Commissioner Brooks. Most of the

neighbors opposed this due to concerns about traffic and impacts to their quality of life. A possible path forward is to either get the neighbors' support or buy their land. He is concerned about the road and whether there is an easement for it. Commissioner Van Beek said it's unfortunate the neighbors have not been able to work together, and the record is not clear about the record of survey. Commissioner Holton said it bothers him that the applicant built two structures as something else and now he wants them to be public use buildings. That needs to be rectified and they need to show they have either had them inspected as a residence or for that use. He then made a motion to accept and sign the FCO's that are in draft form for this finishing part of the hearing as a concluding piece of business that needs to be done. The motion was seconded by Commissioner Brooks. Principal Planner Root asked if the Board would like her to revise the language on the last page so that it reflects today's discussion. Commissioner Brooks said the applicant's proposal is a great idea but not at this location and he is not comfortable approving any additional language when if they apply under those terms he is still coming to the same conclusion. It was residential and it was changed in the comprehensive plan but it's obviously going more residential and he doesn't know how to get past that hurdle. Commissioner Van Beek said there are event centers that are desirable and a lot of high density communities have a built-in area where people can gather and have events, such as a clubhouse. Commissioner Holton asked to let his motion die. He then made a motion to approve the FCO's in draft form with the exception of the last paragraph of the document. Commissioner Van Beek seconded the motion for discussion. She again referenced how some developments have a clubhouse that could function as a positive amenity to a growing community. Following comments, Commissioner Brooks said he would support the motion. The motion carried unanimously. Commissioner Holton agrees with Commissioner Brooks about leaving the concluding paragraph as-is. He also said regardless of what the summation is in the FCO's, the applicant should review the audio recording to listen to what the discussion was if he wants to attempt a second application. Following further comments, Commissioner Holton made a motion that the last paragraph would be appropriate to accept as presented in the draft FCO's. The motion was seconded by Commissioner Brooks and carried unanimously. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 2:03 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 3:01 p.m. for a continuation of the public hearing in the matter of a request by Elwin Butler, PE for Cory Swain, CS2, LLC, for approval of a preliminary plat and irrigation and drainage plan for Alyson Meadows Subdivision, Case No. SD2021-0039. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Michelle Barron, Deputy PA Zach Wesley, Elwin Butler, other interested citizens, and Deputy Clerk Monica Reeves. Today's hearing was continued from November 19, 2024 where the Board asked for additional information relating to the development agreement and the City of Caldwell's subdivision improvement requirements.

Today, DSD Principal Planner Michelle Barron gave a recap noting there are several subdivisions ordinance requirements that the City of Caldwell would like the applicant to follow. Originally, they wanted them to connect to city services for water, and there are requirements for putting in a dryline for future septic expansion, curb and gutter. During the rezone process there was a condition that stated the applicant will comply with the proposed conditions of the City of Caldwell Engineering and the Director of the City of Caldwell P&Z Department letters, with the exception of the requirement connecting to the public water system which is waived. At the time, the applicant was only asking for a waiver of the connection to city water. During the subdivision process, there was a new applicant who is represented by Elwin Butler and they asked for a waiver of the subdivision requirements and the P&Z Commission agreed and recommended that all city requirements would be waived.

Deputy PA Zach Wesley said if the Board approves the application and waives the city conditions on the plat it would be out of compliance with the development agreement and someone could come forward and trigger a complaint and we'd have to go through a public hearing process where the zoning could be revoked. The options are to either table the plat and come back for an amendment on the development agreement which could be done at one hearing and we could also have the plat tabled to that point and do both at the same time; or, the developer can go forward and meet the requirements of the development agreement and get the plat approved under those conditions today.

Commissioner Brooks wants to go into Executive Session and discuss his questions with legal counsel. The Executive Session was held as follows:

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

Commissioner Brooks made a motion to go into Executive Session at 3:08 p.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. 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, Leslie Van Beek, and Zach Brooks, Deputy PA Zach Wesley, DSD Planning Supervisor Carl Anderson, and DSD Principal Planner Michelle Barron. The Executive Session concluded at 3:28 p.m. and the hearing resumed in open session.

Commissioner Holton said we cannot work around the development agreement so the Board will give the applicant three months to file an application to modify it and if nothing happens in six months the Board will hold a final hearing and make a decision with the information it has. Elwin Butler said they are agreeable to that. The applicant will be required to have a neighborhood meeting as part of the public hearing requirements. Commissioner Van Beek said the modification request will come to the Board, not the P&Z Commission, and the merits of the modification will be deliberated by Board at that time with no guarantee. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to continue the hearing and give the applicant three months to apply for a development agreement modification, and in

six months this hearing will be continued if nothing else has happened then the Board will finish the business and make a final decision. The hearing concluded at 3:33 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2024 TERM
CALDWELL, IDAHO DECEMBER 3, 2024

APPROVED CLAIMS

- The Board has approved claim 611871 ADV in the amount of \$20,429.82

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Kenworth Sales in the amount of \$156,090.00 for the Solid Waste Department (PO #6168)
- UPLIFT Desk in the amount of \$5280.30 for the Facilities department (PO #6133)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Kaitlyn Belt, PA Limited License Intern, rehire
- Shawn Powers, Maintenance Technician, addition of on-call pay
- Randy Hagler, Landfill Heavy Equipment Operator, promotion
- Caitlin Ross, DSD Hearing Specialist, new hire

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

The Board met today at 9:30 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Laura Keys, Facilities Rick Britton (left at 9:33 a.m.), Lt. Travis Engle (left at 9:33 a.m.), HR Director Marty Danner, Landfill Director David Loper (left at 9:48 a.m.), Controller Kyle Wilmot (left at 9:48 a.m.), COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Letter providing notice to All Detainment Solutions that County will not exercise purchase option within Section 16 of Temporary Detention Facility Equipment Lease Agreement: This letter has been updated to ensure the 90 business days date was correct. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the letter providing notice to All Detainment Solutions that the county will not exercise purchase option within section 16 of temporary detention facility equipment lease agreement. A copy of the letter is on file with this day's minutes.

Consider Signing a Legal Notice regarding the Submittal of Preliminary Design Plans by Canyon County for the Pickles Butte Sanitary Landfill Lateral Expansion Project: The legal notice identifies that the county has submitted an application to DEQ; statute dictates that notice must be posted in the Idaho Press once a week for 4 weeks. Comments must be submitted directly to DEQ; at the end of the 28-days the comments will be compiled and sent back to the county so a final plan can be completed. The final plan will also be subject to noticing and comment period. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the legal notice regarding the submittal of preliminary design plans by Canyon County for the Pickles Butte Sanitary Landfill Lateral Expansion project.

Consider ratifying ADP agreement for payroll modules: A discussion was had on November 26th regarding this agreement when the RFP was signed. In order to receive the incentive from ADP and meet the deadline, this agreement was signed by Commissioner Holton last week. Director Danner provided background information on this agreement. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to ratify the ADP agreement for payroll modules (agreement no. 24-157).

Commissioner Van Beek made a motion to go into Executive Session at 9:42 a.m. pursuant to Idaho Code, Section 74-206(1) (d) and (f) regarding records exempt from public disclosure and to communicate with legal counsel regarding pending/imminently likely litigation. Commissioner Van Beek then withdrew her motion in order to consider an agenda item.

Meeting to Consider Taking Comment on the Record for Cooperative Purchase of a 2025 Kenworth T480 Water Truck and consider an action item of truck purchase order with Kenworth Sales:

No one appeared to offer comment and no comments were received via USPS or email. This purchase is for the chassis of the new water truck and Director Loper recommends execution of the purchase order with Kenworth Sales. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the truck purchase order with Kenworth Sales (purchase order no. 6168).

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 9:48 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. Laura Keys, HR Director Marty Danner, and COO Greg Rast. The Executive Session concluded at 10:39 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

The Board met today at 10:44 a.m. for a DSD general business meeting. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Interim DSD Director Jay Gibbons, Director of Constituent Services Aaron Williams, COO Greg Rast, and Deputy Clerk Jenen Ross.

Mr. Gibbons reviewed the updated fee schedule; the specific areas they've recently updated were the property specific zoning inquiry and entitlement status, per parcel. He noted that 2022 was the last time the DSD fee schedule was updated and that as the year goes on they will continue to evaluate the fees in relation to staff time in order to ensure they are commensurate with the work being done. The Board is in support of moving this forward.

In regard to the APA (Ag Protection Act) ordinance, the planning and zoning commission has recommended approval with amendments; those amendments and findings can be found on the DSD webpage. Discussion ensued about a noticing error and possible hearing date change. The original notice heading said the hearing would be before P&Z but the body said BOCC, a new notice was published which corrected this error and still meets the noticing requirement. Following discussion, the Board is supportive continuing with the hearing as noticed on December 18th. Mr. Williams will work ensure the hearing date, time and location are distributed through social media channels. The Admin building public meeting room will be reserved for the hearing.

The meeting concluded at 11:12 a.m. and an audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION APPROVING A NEW ALCOHOLIC BEVERAGE LICENSE FOR WALMART, INC., DBA WALMART FUEL STATION #2781

The Board met today at 11:33 a.m. to consider resolution approving a new alcoholic beverage license for Walmart, Inc., dba Walmart Fuel Station #2781. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, and Deputy Clerk Monica Reeves. Following review of the application and supporting documentation, Commissioner Brooks made a motion to approve the resolution approving a new alcoholic beverage license for Walmart, Inc., dba Walmart Fuel Station #2781 (Resolution No. 24-214). The motion was seconded by Commissioner Holton and carried unanimously. The meeting concluded at 11:35 a.m. An audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: SHORT PLAT FOR LIPPERT SUBDIVISION, CASE NO. SD2023-0006

The Board met today at 1:31 p.m. to conduct a public hearing to consider the short plat for Lippert Subdivision, a two-lot subdivision, Case No. SD2023-0006. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, DSD Principal Planner Dan Lister, Darin Taylor, Wayne Lippert, Kimba Lippert, Darin Kindrick, and Deputy Clerk Monica Reeves. Darin Taylor offered

testimony on behalf of the applicants. The Lipperts own 20 acres on the west side of Breezy Lane and are proposing to divide it into a 5-acre parcel on the north and a 15-acre parcel on the south, on which they currently reside. They are dividing their land because they need money to pay for medical bills, and they are dissatisfied with the length of time it's taken to get through the process. They have worked with all agencies and the highway district has been the biggest hurdle they have encountered. Because the property to the west is proposed for development there was discussion with the highway district and the neighbor about access to that property and the district wanted the access to be across the Lippert property. They have required an access easement for road utilities, drainage and irrigation even though this ground is dry and does not have any irrigation water. The property is bordered by Breezy Lane and 25-foot easement because years ago the highway district did not know where the roads were going to go and they were preserving the quarter section lines. Those easements have been recognized on the preliminary plat. As requested by the County they have included a sheet for slopes that shows topography and slope dimensions. They will not build or disturb any land that has 15% slopes or greater. Most of the conditions of approval are already in effect and they just need fire district sign-off and to go through the final plat process. They initially filed as a short plat but because the highway district was not clear on the access to the southwest, as well as road requirements and how much right-of-way they wanted the applicant to dedicate, the district was not ready to proceed with the preliminary plat and final together so the applicant separated those processes. The highway district is in support of what the applicant has done. The applicant has no objection to the P&Z Commission's conditions of approval. Condition No. 11 requires the easement on the south that was given to the neighboring property owner be an actual lot because its sole purpose is for a road. There is also a condition that requires prior to final plat approval, a road users' maintenance agreement (RUMA) be entered into between the applicants and the developers on the property to the west. He has no idea of the status of the development to the west, but a RUMA seems premature until the road is constructed and he does not agree with delaying this application until that RUMA is signed. Because the agreement between the Lipperts and the developer to the west is for the sole purpose of the road, it makes sense that it be a road lot shown on the final plat that comes back to the Board. That condition has been added since the P&Z Commission hearing.

Commissioner Van Beek had questions for staff regarding the Codr land use case where there were concerns about the road and access and that applicant was forced to go across Merlin Lane and the impact of that was a road that was 12 feet from a patio. Principal Planner Lister said in that case the developer and the owner could not agree on access to the Codr property and the highway district required access through Lansing Estates, Gloria Lane, and Merlin Lane which would turn that into frontage in a public road. Neighbors in Lansing Estates expressed concern about how that would impact their view and take away some of their space. There is an existing 25-foot right-of-way dedication that happened in Lansing Estates that they didn't think would ever be used, but the rezone allowed that to be worked out with the highway district and some of the neighbors were concerned. The County added a condition stating that is the approval subject to trying to work with the Lipperts to get that access. Through Canyon Highway District No. 4 and discussions with Mr. Codr they were able to work out the 70-foot easement to provide access through the Lippert property instead of the wrapped around improvement which should alleviate the concerns from the neighbors.

Principal Planner Dan Lister gave the oral staff report. The request is for preliminary plat approval of Lippert Subdivision, a two-lot subdivision, on parcel R37431010. The subject parcel was rezoned to a “CR-R-R” (Conditional Rezone-Rural Residential) zone and subject to an approved development agreement (DA #22-025) limiting it to two lots. The property consists of 20.06 acres with a 10-acre average lot size. The subdivision will utilize Breezy Lane, an open, unmaintained public right-of-way, for access. The northern boundary has a 28-foot access easement that serves two parcels to the north and the west. The south boundary has a public right-of-way that has not been opened. Breezy Lane has to be constructed to meet private road standards which is why this couldn’t be a short plat anymore because the code says if there is any development that requires engineering it cannot be a short plat; it has to be a preliminary plat first then a final plat with construction plans or engineering that would be reviewed separately because our fees do not cover engineering review for construction drawings. The highway district provided the option for access and it is the 70-foot easement to the south that would help the Codrs develop their property and provide access to this one lot. The applicant agreed to that and provided the easement to the Codrs which would circumvent the other approval that was done for the other division. A condition to be considered by the Board is adding a road lot instead of a private road easement; however, if the Board chooses not to impose that condition it will still meet County code, it’s just something that will be an easement and as it goes to the Codr property it will turn into a road lot which doesn’t really connect but it still works. The highway district recommended approval and required a 40-foot wide public right-of-way along Breezy Lane with a 10-foot slope easement. There is no irrigation for the property; the future owner and current owner will be using their well for irrigation up to one-half acre. Ashley Quenzer submitted comments to staff regarding her concerns about habitat and open space and she recommended building envelopes to provide habitat conservation. On October 3, 2024, the Planning and Zoning Commission recommended approval of the preliminary plat request. Staff is also recommending approval. The Board had follow-up questions for Mr. Taylor and Principal Planner Lister regarding the roads, the easement, the slope, and a RUMA.

Given the history with the Codr development, Commissioner Van Beek wants a RUMA that says both parties agree to let that develop go forward. Commissioner Brooks asked what will happen if the Board imposes that condition and the Codr application doesn’t materialize. Planner Lister said if they don’t submit the plat by February of 2025 the development agreement will expire but County code requires it be brought back to the Board to terminate it and the zoning will revert back to agriculture. Commissioner Holton is concerned about imposing something that is difficult for them to maintain and he doesn’t want to delay what the Lipperts can do on their property while waiting on a RUMA.

The following people offered testimony:

Wayne Lippert testified that he built his home on the 20-acre parcel in 1988 and he would like to sell 5 acres. He spoke about his communication with the highway district regarding access and said he placed the easement where the district wanted it. He said Mr. Codr spoke asked him for

an easement because his property was landlocked and eventually Mr. Lippert agreed to it because he thought if he didn't grant the easement his five-acre request could be postponed.

Darin Taylor said they could not get a revised letter from the highway district in 2023 changing their recommendation or moving forward with the preliminary plat without making some accommodation on the easement that's been the subject of the meeting. There has been so much effort to get the 70-foot easement and everybody understands what's going to happen there and it's not going to change so the Board has the assurance that it's permanent and it will not go away unless the two parties agree for it to go away. The details about who will maintain the road are usually found in a RUMA, but Mr. Taylor made sure some of those provisions got into the easement agreement and Mr. Lippert has been clear that they are not paying to maintain anything on that 70-foot easement. All of those obligations are described in the easement agreement; it's clear, it's permanent and it's recorded. If there is a RUMA recorded and the development next door never occurs then that document becomes a cloud on the title to the Lippert property, meaning it will show on a title report for that southern 15-acre parcel forever until removed and it will make no sense if there is no development next door. As to whether the 70-foot easement is adequate, the highway district set that number and it will likely have a retaining wall on the north boundary and that's how we can be assured it will work. Mr. Lippert would like the Board to remove Condition Nos. 8 & 11 because until there is a private road or two driveways on that 70 feet those conditions will not apply. He is content if the Board wants a road lot down; however, he would prefer not to have the RUMA be a condition of approval. Regarding Ashley Quenzer's comments about preserving grasses and native vegetation, Mr. Taylor said in looking at the north 5-acre parcel at least half of it has slopes that are 15% or greater that won't be built on without coming back through the process by condition of approval. A building envelope will not be effective on the 5-acre lot. Following his testimony, Mr. Taylor responded to questions regarding driveways, access, and the easement agreement between the Codrs and the Lipperts. Commissioner Holton said Condition No. 8 should either be deleted or modified to state that at the time a road is constructed a RUMA shall be recorded. Commissioner Van Beek agrees. Mr. Taylor said instead of making it an obligation they should use language that says they should coordinate with and not obstruct or unreasonably delay. Planner Lister said staff recommends deleting it because per the Codrs' development agreement when they do submit the plat they have to meet the requirements, which includes a RUMA. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Commissioner Holton said he agrees with the FCO's, and he wants to delete Condition #8 in its entirety. He wants it to become a road lot because a lot has more finality to it than a possible easement. Commissioners Van Beek and Brooks agree with it being a road lot and they support the FCO's and the deletion of Condition No. 8. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the preliminary plat for Lippert Subdivision, Case No. SD2023-0006, subject to the conditions of approval, and the removal of Condition No. 8. The hearing concluded at 2:43 p.m. An audio recording is on file in the Commissioners' Office.

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

The Board met today at 3:03 p.m. for a continuation of the public hearing regarding the request by Darin Taylor, representing Ryan and Heidi Walker, for a conditional rezone of an "A" (Agricultural) Zone to a "CR-RR" (Conditional Rezone - Rural Residential) Zone, Case No. CR2021-0012. The request includes a short plat for Edenbrook Estates Subdivision, Case No. SD2021-0057. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Michelle Barron, Darin Taylor, Ryan Walker, and Deputy Clerk Monica Reeves. At the October 22, 2024 hearing, the Board voted unanimously to approve the conditional rezone, but the short plat was continued to November 20, 2024 so that the applicant could come back with the additions to the preliminary plat and the notations discussed at the October 22nd hearing. On November 20, staff advised that the engineer needed additional time for review so the hearing was continued to December 3, 2024. DSD Principal Planner Michelle Barron said there are still some questions on the plat that the engineer wants to verify but she is not in the office today. The Board can talk about the preliminary plat today with the condition that any requirements put forth by the County engineer will be taken care of before approval of the final plat, which can be considered at a later date. There was discussion regarding the engineer's review. Commissioner Holton said the front two lots were not part of this project and were different from the three lots and he wants to make sure that issue got resolved and he wants to see it on the plat. Darin Taylor said he is ready to proceed with the preliminary plat hearing today and said since the last meeting they have reprinted the mylar and obtained signatures from all of the agencies, including the County Treasurer in anticipation of today's hearing. The closures for the boundary and the lots have been checked by the County Assessor and the surveyor, and if the County Engineer is also doing that it seems like there are a lot of people doing the same thing. If we proceed with the hearing today nothing will need to be continued, and the final plat can be placed on the Board's agenda once the engineer has approved it. Commissioner Holton said the contract engineer has not looked at the plat and that gives him pause. He then made a motion to continue the short plat for Edenbrook Estates to December 11, 2024 at 4:00 p.m. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 3:21 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2024 TERM
CALDWELL, IDAHO DECEMBER 4, 2024

No meetings were held this day.

DECEMBER 2024 TERM
CALDWELL, IDAHO DECEMBER 5, 2024

APPROVED CLAIMS

- The Board has approved claims 612047 to 612099 in the amount of \$296,836.97
- The Board has approved claims 612013 to 612046 in the amount of \$57,689.13
- The Board has approved claims 611967 to 612012 in the amount of \$501,507.04
- The Board has approved claims 611917 to 611966 in the amount of \$30,672.02
- The Board has approved claims 611872 to 611916 in the amount of \$550,159.17

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Todd D. Wilcox, Deputy Judicial Marshal – missed FY25 market adjustment

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for:

- Tower Grill to be used on 12/13/24 for the Idaho Geothermal Christmas Party

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, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Oscar Klaas, Cpt. Harold Patchett (left at 9:37 a.m.), Cpt. Ray Talbot (left at 9:36 a.m.), Cpt. Chuck Gentry (left at 9:37 a.m.), Facilities Director Rick Britton (left at 9:36 a.m.), Director of Constituent Services Aaron Williams (left at 9:37 a.m.), COO Greg Rast, and Deputy Clerk Jenen Ross. The action item was considered as follows:

Consider Guaranteed Maximum Price Amendment for Construction Manager General Contractor for the Canyon County Sheriff's Office Building Project: Director Britton explained this concludes the paperwork for this project. Negotiations have been in process regarding price points, liquidated damages, and a couple other details have been worked through. Three allowances are included in the GMP – inclement weather, electric, and parking – if these allowances are not used those monies will be refunded to the county. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the guaranteed maximum price amendment for construction manager general contractor for the Canyon County Sheriff's Office building project as presented (agreement no. 24-158).

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 9:37 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. Oscar Klaas, and COO Greg Rast. The Executive Session concluded at 10:19 a.m. with no decision being called for in open session.

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

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 11:30 a.m. to consider matters related to indigent services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George and Deputy Clerk Jenen Ross. Ms. George presented the following cases for Board consideration:

Case no. 2025-5: Following the investigation, it has been determined that the decedent is a Canyon County resident and deemed indigent. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve the case.

Case no. 2025-6: Following the investigation, it was determined the decedent is a resident of Canyon County but owns a home and vehicle and there appear to be other personal items of value therefore not meeting the criteria for county assistance. Additionally, since the application was submitted, a sister has come forward to pay for the cremation. Indigent Services is recommending a denial on this case in order to close it out. Commissioner Van Beek made a motion to deny the case as the county is not the payer of last resort and the deceased is not indigent. The motion was seconded by Commissioner Brooks and carried unanimously.

The meeting concluded at 11:34 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING: APPEAL BY TERESA JARDINE REGARDING THE DENIAL OF AD2023-0020 FOR A NON-VIABLE PARCEL LAND DIVISION, CASE NO. AD2023-0020-APL

The Board met today at 1:37 p.m. to conduct a public hearing in the matter of an appeal by Teresa Jardine regarding the denial of AD2023-0020 for a nonviable parcel land division, Case No. AD2023-0020-APL. Present were: Commissioners Brad Holton and Zach Brooks, DSD Principal Planner Dan Lister, DSD Planning Supervisor Carl Anderson, Teresa Jardine, TJ Wellard, Cleon Hoagland, other interested citizens, and Deputy Clerk Monica Reeves. Commissioner Van Beek did not participate in today's hearing due to a conflict of interest.

Teresa Jardine offered testimony in support of her appeal. They started the process in September of 2019, by doing a parcel inquiry and working with the County and their surveyor, TJ Wellard, throughout the process and they thought they were doing everything according to the law. They were told a half-acre would not qualify so their brother and sister-in-law, the Pancheris, as well as Mr. Jardine's parents, each agreed to give them one-quarter of an acre. After a survey was done they added one-quarter of an acre to the back of the property and it encroached on farm ground but they agreed not to use it so the Pancheris could still farm it. Ms. Jardine said a former Director of DSD told them they could qualify for a variance and their parents gave them 30 feet which gave them three-quarters of an acre and they were granted a variance and the P&Z Commission

recommended their split be approved; however, it took them several months to have that meeting and during that time Keri Smith was elected as Commissioner and she did not understand the process the Jardines had been through and was under the impression they had originally built on their parents' ground. They were surprised when their request was denied and said Commissioner Smith told them if there had been an ordinance in place for a nonviable piece of farm ground it would have been approved. At this point the land wasn't split off and when the ordinance was adopted they tried to apply again for the variance and were told it was no good because it was residential and when they applied for the nonviable division, DSD said they would deny it because the one they had was for residential, not agriculture. The Jardines approached their brother and sister-in-law again asked if they would consider selling a piece so they could get the full acre and they agreed although they did not want to. The Jardines applied again and received approval. There was a lease for the brother and sister-in-law to sign and there was a clause that said if the Pancheris stopped farming they would not be able to buy the property back even if the ordinance changed or they didn't have to have a full acre. It made the Pancheris angry, and they would not sign the paperwork. The Jardines are still without a property split. Their parents have a land trust that Mr. Jardine and his sisters will inherit and right now the Jardines' property is part of that and if something happened to the parents, the sisters would own one-third of their home. Ms. Jardine said they did not appeal the denial because they thought it was going to through, which is why they are here today in hopes of a resolution. She said there was no way to irrigate that portion of the land and it was a weed patch for 17 years before the Jardines bought it. With three-quarters of an acre it was plenty big for a home and a septic system, and they didn't need to touch any farm ground and that is why they didn't understand why they had to add a quarter of an acre just to lease back to the Pancheris when it's not needed. It defeats the purpose of having a nonviable piece if you have to bring farm ground in to get the full acre. She said they were turned down initially because they did not have a full acre and they were told if the ordinance had been in effect it would have gone through, but when the ordinance was adopted it was for an acre, so it didn't help them. She said they took a weedy piece of ground and turned it into a taxable property that is maintained, and they haven't disturbed any of the farm ground or neighbors around them.

DSD Principal Planner Dan Lister gave the oral staff report. This is an appeal of the denial of Case No. AD2023-0020 which is a non-viable parcel land division. The applicant is requesting approval of the lot size that is less than one acre. The affected properties are located at 7901 & 7943 Dearborn Road in Nampa.

Background summary

- 2005 Land division
- 2020 Property boundary adjustment to be a 1.75-acre parcel
- 2020-2021: Applied for a secondary residence
- 2020: Quitclaim deed creating Parcel R29887011A (.75 acre)
- 2020: Rezone/variance - A variance was approved subject to rezone approval, but the R-1 rezone was denied because a nonviable process was being worked on and they were told to wait for that change in code.

- March 15, 2023: Nonviable and variance application submitted. The variance was denied because the hardship was created by the quitclaim deed. The decision was not appealed.
- April 15, 2024: The nonviable land division was amended to meet the one-acre lot size.
- September 24, 2024: The nonviable land division was denied because they could not meet the one-acre lot size.
- October 10, 2024: An appeal was submitted.

The original variance is not part of today's application because the appeal timeframe has passed. Staff has reiterated all of the options to the applicant. Today the Board is considering the application for the nonviable land division, which does not meet the one-acre lot size. Staff recommends the Board uphold the Director's decision.

Options to gain approval:

- Reapply for an Administrative Division of a Nonviable Parcel in an Agricultural Zone (CCCO §07-18-05 & 09) and provide information demonstrating the proposed parcel can (1) meet the minimum lot size of one-acre (CCZO §07-18-09(2), and (2) ensuring the request does not impact adjacent viable agricultural uses (CCZO §07-18-09(5)D); or
- Combine the parcel with Parcel R29887011 and reestablish the dwelling as a secondary residence as approved by BP2020-0566.

TJ Wellard testified in support of the applicant's request and said this is a worthless piece of ground next to two family members and one family member wants to build a house on the property and help take care of their parents, but they have exhausted all means to do that and yet they are being advised to appeal a decision that will not change anything. The process has been ridiculous. They worked hand-in-hand with DSD to get to where they were, and a new Commissioner came into office and denied it saying it was spot zoning even though the County Code says it is conditional rezoning. He said they can reapply for the variance that will get denied again and then appeal again to the Board after spending thousands of dollars hoping the Board will have the decency to allow them to have a house on their own parcel.

Commissioner Brooks asked Mr. Wellard what legal findings the Board would use to support overturning it since it does not meet the one-acre requirement. Mr. Wellard said the variance should be granted and he said by the parcel not being an acre it doesn't harm anyone. No one is against this except DSD. The intent was for the .75 acres and the history proves that and they worked with DSD to get it done and with all the delays with COVID they wanted to start to building so that was the only option to start building knowing they would work with the County. The variance was already approved to be less than an acre, so they were doing everything correctly as they were being advised by the DSD Director at that time. He understands how we cannot overturn this decision for what has been applied for, but for the variance not to be approved to begin with is ridiculous. He said the Jardines went the path of a conditional rezone and that was denied; no one objected to it other than a new Commissioner who said they cannot spot zone.

Commissioner Brooks asked how would the Board approve a variance based upon a hardship that only exists because of the actions of the applicant? Mr. Wellard said DSD is saying the Jardines created that issue because they created the .75 acre just by deed. The hardship is that if you take land away from the adjacent farmland you are wasting farm ground and forcing a size on something even though it creates a hardship for the farmer because you're taking farmland to create one acre. There were follow-up questions of Mr. Wellard by the Board.

During rebuttal testimony, Teresa Jardine said at the recommendation of the County, they built as a secondary residence. The Pancheris deeded the .50 acres to the parents and then the parents quitclaim deeded it back to the Jardines with the 30 feet included and that's where the split came in and while they were doing that they were working through the variance, which is what the DSD Director recommended. It was easier to get it in one parcel and quitclaim it to the Jardines rather than two separate ones. The Jardines never had any intention to build as a secondary residence but because of COVID they couldn't get their meeting to split it and they were told by DSD to start building as a secondary residence with the assumption that as soon they were able to have their meeting it would be split off. They were not trying to do it illegally. They followed the County's recommendations but in hindsight they would not have done it had they known it would end up like this. It has destroyed their family; the Pancheris no longer speak to them, and if their parents pass, the Jardines do not know what their intentions are with the property because the Pancheris will own a portion of it as part of the estate. They were told the nonviable ordinance would fix this, but now ask where is the common sense when the nonviable requires the acre? They did their best to follow the law and the ordinances and do what they were told, and they wish common sense could prevail.

Principal Planner Lister said the Board could table the hearing and see if they want to reapply for the variance to meet the size requirement which has been done in the past when we have had agricultural lots come in at smaller sizes; typically, it would be a land division with a variance. They would have to get approval from the health district for less than the one-acre size to prove they can still meet the separation and prove a hardship. He said Mr. Wellard is correct, the decision was made based on the quitclaim deed, and they could fix it by deeding it back. Instead of appealing it at the time they showed they could meet the one-acre lot size and so they did not go through the appeal process. If they reapply staff could look at it one more time through the current Director to see if it's a hardship we can support or not. If it does get appealed they could come back before the Board.

TJ Wellard said the metes and bounds of their lot has been recorded and they have approval from the health district saying the .75 acres meets the setbacks to have a primary and secondary drain field and distance from wells.

Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to close public testimony. Commissioner Holton prefers to do what Principal Planner Lister offered as an option. This is a unique case, and it bothers him that they have been connected to the County throughout the process and part of the reason they are in this situation is because of some of the information given to them. Planning Supervisor Carl Ander said his only

caution on going that route would be to encourage the applicant to provide a strong letter of intent demonstrating the undue a hardship because that is finding that has to be made for the review. Commissioner Holton said they could refer to this hearing and with Mr. Wellard's help they could state why they took the actions they did and that would substantiate what he would be curious to see. They could have 90 days to apply and if we don't receive an application in 90 days then the Board will reconvene and complete its decision. Commissioner Brooks agrees. Commissioner Holton made a motion considering the information received and the unique situation with this specific parcel of ground to continue the hearing to March 11, 2025, at 1:30 p.m. expecting that the applicant will be communicate with DSD and perhaps provide a different path forward. The motion was seconded by Commissioner Brooks and carried unanimously. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to adjourn at 2:30 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2024 TERM

CALDWELL, IDAHO DECEMBER 6, 2024

No meetings were held this day.

DECEMBER 2024 TERM

CALDWELL, IDAHO DECEMBER 9, 2024

APPROVED CLAIMS

- The Board has approved claims 612135 to 612185 in the amount of \$592,672.14
- The Board has approved claims 612100 to 612134 in the amount of \$27,151.71

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Park Place in the amount of \$5,408.52 for the Information Technology Department (PO #6159)
- Right Systems in the amount of \$34,933.35 for the Information Technology Department (PO #6160)
- Zoho in the amount of \$15,756.00 for the Information Technology Department (PO #6161)
- Quadient, Inc., in the amount of \$9,066.91 for the Information Technology Department (PO #6088)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Brad Julian, Hazardous Waste Screener/Heavy Equipment Operator
- Hunter Onofrei, Deputy Sheriff - Inmate Control (Add K-Pay)
- William Otzenberger, Deputy Sheriff - Inmate Control

CONSIDER RESOLUTIONS APPROVING NEW ALCOHOLIC BEVERAGE LICENSES FOR YANNI'S RESTAURANT, LLC DBA YANNI'S, AND PUB AND PUTT, LLC DBA PUB AND PUTT

The Board met today at 10:08 a.m. to consider resolutions approving new alcoholic beverage licenses for Yanni's Restaurant, LLC dba Yanni's, and Pub and Putt, LLC dba Pub and Putt. Present were: Commissioners Leslie Van Beek and Brad Holton, and Deputy Clerk Jenen Ross. Commissioner Holton said he has reviewed the applications and sees no procedural issues. Commissioner Van Beek said she has also reviewed and noted they meet the criteria as outlined. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to approve the applications for a new alcoholic beverage license for Yanni's Restaurant LLC dba Yanni's, and Pub and Putt, LLC dba Pub and Putt (resolution no. 24-215).

The meeting concluded at 10:09 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH ROGER BATT REGARDING SEED INDUSTRY PRESENTATION

The Board met today at 2:00 p.m. with Roger Batt who requested the meeting on behalf of the Idaho Eastern Oregon Seed Association who wanted to share the data they compiled on the value of the seed in industry. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Operating Officer Greg Rast, Roger Batt, seed company representatives and other interested persons, and Deputy Clerk Monica Reeves.

A PowerPoint presentation was given on the following topics:

- Seed is to agriculture what microchips are to technology
- We are one of the few "Silicon Valleys" of the seed in the world

Idaho is 1 of only 5 Major Global Seed Production Regions

Other Major Global Seed Production Regions are:

- California, China, Chile & Australia

Idaho Seed Facts:

Chile is the 3rd largest sweet corn seed production area in the world.

Many customers in Chile do not want Chilean-produced seed.

They want Idaho-produced seed due to our high quality.

Australia had a 50+year ban on US-produced sweet corn seed.

Australian growers and processors were fed up with the inconsistent supply and quality of their sweet corn seed. 95% of their seed was coming from Australia and New Zealand.

They petitioned the Australian government and can purchase Idaho-produced seed under the “Idaho Protocol”. Meaning, only Idaho-produced seed can be imported into Australia from the US.

Canyon County produces 50 different species of seed crops with thousands of different varieties that are produced.

We are number 1 in sweet corn seed production. Canyon County produces 65% of the world’s sweet corn seed, which is down about 20% from 15 years ago. The decline is due in part to growth, having to move fields, and the loss of isolation.

We are number 1 in carrot seed production, onion seed production, dried bean seed production, and in popcorn seed. Canyon County has produced popcorn seed for 113 years. Additional seed production includes: turnips, teff, rutabaga, lettuce, collards, radish, kale, mustard, triticale, peas, clover, coriander, and alfalfa.

The Value of Idaho’s Seed Industry:

Idaho’s seed industry is valued at \$800 million based on data collected across the state. Factors include seed production, chemicals, treatments, labor, water, research & development, and crop certifications. They met with the University of Idaho regarding the multiplier effect and U of I said for agriculture it generates 1.9x in economic activity throughout the state. \$800M multiplied by 1.9 gives \$1.5 billion total economic impact for the State of Idaho with the values broken out as follows:

- \$500M – Southwest Idaho (80% is produced in Canyon County = \$400M)
- \$200M – Southeast Idaho
- \$100M – North Idaho

Idaho’s seed industry ships to every continent - 120 countries worldwide - except Antarctica. Seed is vertically integrated in Canyon County. We have an extremely rare ability to produce seed in a high desert climate. We have ample water supply/good irrigation delivery systems. We have irrigation practices that reduce potential diseases and insect pressure. We have the best farmers in the world producing seed crops. These farmers can produce seed on virtually any soil type or condition.

Management and Soil Types:

A majority of seed production managers prefer a good grower on poor soils over an average grower on good soils

Canyon County Does Not Have a Lot of Large Fields Due To:

- Topography
 - Most fields require leveling for gravity irrigation
 - Gravity irrigation does not like long runs resulting in smaller fields
- Canals (large & small)
- Drains
- Roads
- Houses

Smaller Fields Create Greater Opportunity for Crop Diversity

- We have a wide selection of field sizes, slopes, and soil types
- This makes Canyon County ideal to support the most diverse number of crop types in the State of Idaho and one of the highest in the nation
- Many of our crops are small in size, but high in value

Subsample of beans, onions, carrot, peas, sweet corn and popcorn

- Percent of fields by acres over 5 years:
 - Out of 3,382 fields, 48.34% were less than 5 acres of production
 - 14.52% 5-10 acres
 - 11.09% 10-15 acres
 - 10.41% 15-20 acres
 - 14.82% 20-40 acres
 - There were only 28 fields that were more than 40 acres in size based on the sample they have

There was a review of the commodity prices versus seed prices. The ag producer makes a lot more money on contracts on a per-acre basis. These are specialized fields that farmers produce and the manufacturing overhead per acre is a lot higher as well. (See *Agriculture Value in Canyon County* slide for detail.)

Canyon County's seed industry has thrived WITHOUT FAIL through major historical events over the last century:

- World War I
- The Great Depression
- World War II
- Numerous Recessions
- Dot Com Bubble Burst
- Housing Market Crash
- Great Recession

- COVID-19

The seed industry typically sees an uptick in sales during these types of events.

Seed Industry Issues:

#1 - Loss of farmland

They are trying to figure out how they are going to produce and continue to exist in the future. They have tried to partner up on different issues at the legislature, for example, and are trying to do what they can to make sure they can keep the farmland in the County for seed production. Some production is going to Malheur County and other places in Oregon.

#2 - Keeping Pesticide Labels

Between the EPA and the environmental community, they make it a lot more difficult to farm. Recently the EPA has worked on endangered/threatened species issues and they've tied it to pesticides and how farmers can use pesticides around threatened or endangered species area.

#3 – Water Supply

There is no new water; the new water will come from the ground, but there are issues when drilling wells and seeing aquifer declines. They have seen the water supply diminish when it comes to return flows from the drains and they are trying to do what they can as a community to mitigate those things to make sure we do not end up like the upper Snake River where they have to do curtailments or conjunctive management.

#4 – Keeping our farmers and companies

If we don't do something about the first three topics, it will be more difficult to exist in the future.

Commissioner Brooks had follow-up questions about the decline in seed crops. Sweet corn production has declined 20% in the last 15 years and has moved to areas. There are other seeds that farmers have had difficulty getting contracts to stay in Canyon County because of the growth, and the difficulty in finding the isolation because of the subdivisions going in and they are not getting the pollination they need. Part of the issue is concerns of crosspollination and contamination. Commissioner Holton asked for Mr. Batt's point of view about flood irrigation. Mr. Batt said the drains are running a lot lower than they used to and they have seen a decline of 67 cfs for the Mason Creek Drain in the last couple years and that has impacted those in the Parma/Notus area as a result. There were only 11 cfs in 2022 and 2023 of actually calling somebody's water for the first time in history in the Treasure Valley. Flood irrigation is paramount to continuing the recharge for the aquifer and if we are to maintain the aquifer management in this basin we need to gravity irrigate it. Commissioner Holton said it's important the group has been able to articulate the consequences of it and he believes we are in a transition right now and hopefully we can reverse it and get back to a better situation. He asked if the County can post

today's PowerPoint, along with a list of the seed industry members list, on the website. Mr. Batt said the presentation can be posted online, but he will check with his board to see if the list of members can be publicized. The meeting concluded at 2:29 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2024 TERM

CALDWELL, IDAHO DECEMBER 10, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Beau Bolinder, remove CERT Team pay & add interim detention cert.

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

- Action Item: Consider Renewable Service Agreement with Sunbelt Controls
- Action Item: Consider Service Agreement with ACCOCARE
- Action Item: Consider Service Agreement with Northwest Power Systems
- Action Item: Consider Traffic Enforcement Grant Project Agreement (TEGPA)

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

The Board met today at 9:31 a.m. with county attorneys for a legal staff update and to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Oscar Klaas, Deputy P.A. Zach Wesley, Deputy P.A. Trent McRae, Deputy Jay Warren (left at 9:36 a.m.), Lt. Martin Flores (left at 9:36 a.m.), Director of Facilities Rick Britton (left at 9:43 a.m.), Director of Constituent Services Aaron Williams (left at 9:44 a.m.), and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Traffic Enforcement Grant Project Agreement (TEGPA): Deputy Warren explained this is an annual agreement that has been ongoing for 15-20 years. It is provided for targeted enforcement engagements such as aggressive driving, distracted driving, seat belt enforcement, etc. The grant covers the costs for additional patrol deputies. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the Traffic Enforcement Grant Project Agreement (TEGPA). Agreement no. 24-162.

Director Britton explained the following contracts have been in place for several years. In previous years he would sign but this year they have been reviewed by legal for Board consideration and signatures. There are some increase in costs but contract language remains largely unchanged.

Consider Renewable Service Agreement with Sunbelt Controls: This allows for remote control of the HVAC system. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the renewable service agreement with Sunbelt Controls (agreement no. 24-159).

Consider Service Agreement with ACCOCARE: ACCO will service the boilers twice a year. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the service agreement with ACCOCARE (agreement no. 24-160).

Consider Service Agreement with Northwest Power Systems: Generators will be serviced quarterly to semi-annually. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the service agreement with Northwest Power Systems (agreement no. 24-161).

Legal is working on a way to streamline the way standard service contracts are signed for renewal – possibly providing authorization to Directors to sign on the county's behalf. The Board would need to determine what the price point they'd like to authorize.

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 9:44 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. Director of Constituent Services Aaron Williams joined at 10:08 a.m. The Executive Session concluded at 10:21 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.

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 11:05 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, Fair Director Diana Sinner, Director of Constituent Services Aaron Williams, and COO Greg Rast. The Executive Session concluded at 1:10 p.m. with no decision being called for in open session.

MEETING WITH CHRIS BOYD TO DISCUSS LEADERSHIP SPECIALTY PAY PROPOSAL FOR THE CANYON COUNTY PROSECUTING ATTORNEY'S OFFICE

The Board went on the record today at 3:31 p.m. for a meeting with Chris Boyd to discuss leadership specialty pay proposal for the Canyon county Prosecuting Attorney's Office. Present were: Commissioners Leslie Van

Beek, Brad Holton and Zach Brooks, HR Director Marty Danner, Ingrid Batey on behalf of Chris Boyd, COO Greg Rast, and Deputy Clerk Jenen Ross.

A letter was recently received from Mr. Boyd outlining his proposal for a misdemeanor team lead and a felony team lead.

Ms. Batey explained that instead of hiring an employee at a certain pay range to take a position within the office it would be more logical to have the pay tied to the position itself so that the pay is reflective of the work being done. She said they are requesting a higher pay rate for the misdemeanor position because they believe they can bring in a less experienced attorney to supervise other less experienced attorneys and don't need someone who qualifies for the Attorney IV position in years of service. They feel they can bring in an excellent attorney who is under 10 years but the way the pay structure is currently set up they are just aren't able to pay as much as a base so they are asking for a larger stipend for that person; this may need to be evaluated in the future as it's a pilot program at this time.

In reference to a comment from Commissioner Van Beek, Director Danner confirmed that this change is the equivalent of using specialty pay as is done in other offices and departments. Additionally, she noted that the amount suggested by Mr. Boyd are comparable to the responsibilities outlined.

Ms. Batey believes this proposal will keep within the approved FY25 budget for the Prosecutor's Office and per Mr. Boyd's letter they anticipate this change will result in a savings of \$156,797. Mr. Rast said a resolution will need to be considered by the Board for the amount and label of the specialty pay, he also confirmed that during the budget process the Board created a reserve account for the Prosecutor's Office which has approximately \$220,000 earmarked as a restructure mechanism.

HR will work on the resolution to make this change and get it on the Board's agenda for consideration at a later date.

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

The meeting concluded at 3:42 p.m. and an audio recording is on file in the Commissioners' Office.

DECEMBER 2024 TERM

CALDWELL, IDAHO DECEMBER 11, 2024

APPROVED DECEMBER 13, 2024 PAYROLL

- The Board approved the December 13, 2024 payroll in the amount of \$2,412,920.62

APPROVED CLAIMS

- The Board has approved claims 612230 to 612244 in the amount of \$32,079.89
- The Board has approved the Jury payments claim in the amount of \$7,567.90

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for:

- Sydney Brown, Juvenile Probation Officer 1

CONSIDER CERTIFICATES OF NONCOMPLIANCE AND A RELEASE OF CERTIFICATE OF NONCOMPLIANCE

The Board met today at 9:33 a.m. to consider certificates of noncompliance and a release of certificate of noncompliance. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Code Enforcement Supervisor Eric Arthur, Office Manager Jennifer Almeida, and Deputy Clerk Jenen Ross. The certificates of noncompliance and the release of certificate of noncompliance were considered as follows:

Certificates of Noncompliance

Mr. Arthur provided a review of each of the properties giving a brief history of the issues, complaints received, notifications provided and communication with property owners.

- 89 S Dewey, Nampa (R30628010): Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a certificate of noncompliance on 89 S. Dewey, Nampa.
- 19650 Fish Rd, Wilder (R37193): Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to issue a certificate of noncompliance on 19650 Fish Rd, Wilder.

Release of Certificate of Noncompliance

- 21728 Boise River Rd, Caldwell (R38552010): There has been an ongoing floodplain issue with this property and after several years of working with FEMA a resolution has been reached and the property has been removed from the CAV. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the release of certificate of noncompliance for 21728 Boise River Rd., Caldwell.

The meeting concluded at 9:48 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING WITH FACILITIES TO CONSIDER NOTICES OF LIEN

The Board met today at 10:00 a.m. with the Facilities Department to consider notices of lien. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Facilities Director Rick Britton, Office Manager Becky Kearsley, and Deputy Clerk Jenen Ross.

Director Britton explained that work was done on each property but owners have not been in contact with the county to make payment. Each of the properties were out of compliance with public nuisance ordinances/statutes. Director Britton also spoke about how he's been working with legal to streamline the lien

process and restructuring the fee schedule. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign a notice of lien for the following properties:

- 0 Duff Lane (R3760500000)
- 0 E Pink Bud St. (R3437114300)
- 8566 Silverwood Way (R3383330000)
- 5903 Oak St. (R2087800000)
- 0 Rim Road (R30101011C0)

The meeting concluded at 10:19 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER HARDSHIP/CASUALTY LOSS APPLICATION FOR PARCEL NOS. 25068010 0 & 25068010A 0

The Board met today at 10:30 a.m. to consider a hardship/casualty loss application for parcel nos. 25068010 0 & 25068010A 0. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Treasurer Jennifer Watters, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, and Deputy Clerk Jenen Ross.

Treasurer Watters explained that the casualty loss request is from the microburst that occurred in June of 2024. The tax amounts to be cancelled are \$71.44 and \$36.36. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to approve the hardship/casualty loss application for parcel nos. 25068010 0 and 25068010A 0.

The Board concurred to accept the Treasurer's monthly report for October 2024.

The meeting concluded at 10:37 a.m. and an audio recording is on file in the Commissioners' Office.

FILE TREASURER'S MONTHLY REPORT

The Board filed the Treasurer's monthly report for October 2024 in today's minutes.

MEETING TO CONSIDER MATTERS RELATED TO INDIGENT SERVICES

The Board met today at 11:10 a.m. to consider matters related to Indigent Services. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Case Manager Kellie George, and Deputy Clerk Jenen Ross. Ms. George presented the following case to the Board:

Case no. 2025-7: This case meets the eligibility criteria for county assistance. Canyon County is the obligated county as the decedent was a resident and is indigent. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve case no. 2025-7.

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

PUBLIC HEARING – SHORT PLAT FOR SLEEPY HOLLOW SUBDIVISION NO. 2, CASE NO. SD2023-0008

The Board met today at 1:30 p.m. to conduct a public hearing in the matter of a request by Kathryn and Christopher Phoenix for approval of a short plat for Sleepy Hollow Subdivision, Phase 2, Case No. SD2023-0008. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Interim DSD Director Jay Gibbons, Kathryn Phoenix, other interested citizens, and Deputy Clerk Monica Reeves. Kathryn Phoenix testified in favor of the request, which is a simple split, one acre +/- off the entire 2.27 acres. The empty lot does not have any buildings on it, and they are not sure if they will sell it or build on it. They have completed all requirements done everything that was asked of them. Interim DSD Director Jay Gibbons gave the oral staff report. The project is a 3-lot subdivision where the proposed building lot consists of 1.02 acres; the second lot consists of 1.377 acres and has an existing home on it; and the third lot is the road lot. The public road takes access via White Oak Drive off Shannon Circle. On the southeast side there is an easement for a driveway that will provide access to Lot No. 1, and it currently provides access to the neighbor's accessory structure. The property is located at 23117 White Oak Drive in Caldwell and was rezoned to "CR-R1" (Conditional Rezone – Single Family Residential) on May 19, 2022. There were three conditions and they have met all the conditions. There is a note on the plat which states the proposed Lot No. 1 is not allowed to have a secondary dwelling unit. The property is within Middleton's area of city impact; the fire district did not comment but they will have to approve the driveway access. Both lots will have individual domestic wells and septic systems and there is existing irrigation to Lot No. 2. The plat complies with the County code and Idaho Code, and the County engineer recommends approval of the plat. All improvements will be bonded for or completed. The Board had follow-up questions regarding the rezone from 2022, and so Interim Director Gibbons reviewed the conditions for the rezone which are listed in the development agreement. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to conclude public testimony. Commissioner Brooks said he is in favor of the request because it has met all the requirements as well as the conditions approval that were imposed on the conditional rezone. Commissioner Holton said although he is frustrated that a prior Board approved this, the applicants have met all the conditions. Commissioner Van Beek supports the comments. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the preliminary plat for Sleepy Hollow Subdivision No. 2, Case No. SD2023-0008, subject to the conditions of approval. Interim DSD Director Gibbons said DSD will do one last review of the final plat mylars and schedule it for Board approval. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to adjourn at 1:50 p.m. An audio recording is on file in the Commissioners' Office.

MEETING TO DISCUSS THE CITY OF CALDWELL'S PLANS FOR A PROPOSED HOTEL LOCATED AT STOCK TRAIL ROAD AND 21ST AVENUE IN CALDWELL

The Board met today at 2:30 p.m. to discuss the City of Caldwell's plans for a proposed hotel on the dirt parking lot located at Stock Trail Road and S. 21st Avenue. Present were: Commissioners

Brad Holton, Zach Brooks, and Leslie Van Beek, Chief Civil Deputy PA Aaron Bazzoli, COO Greg Rast, Constituent Services Director Aaron Williams, Fair Director Diana Sinner, Facilities Director Rick Britton, Treasurer Jennifer Watters, Assessor Brian Stender, Senior Systems Analyst Steve Onofrei, Councilman Chuck Stadick and Councilwoman Diana Register, who attended as private citizens, other interested citizens, and Deputy Clerk Monica Reeves. Deputy PA Zach Wesley arrived at 3:36 p.m. Today's meeting was scheduled to be a joint meeting between the County Commissioners and the Caldwell City Council; however, the City declined to attend. Today's discussion centered on the Board's concern with the lack of communication from the City on this issue and how the proposed hotel will impact the Fair.

COO Rast prepared a PowerPoint addressing some items that were discussed during the Caldwell City Council meeting on December 2, 2024, a copy of the PowerPoint is on file with this day's minute entry. Commissioner Van Beek said she appreciates the questions that Councilwoman Diana Register asked at the recent council meeting, and said there was a genuine interest in trying to establish everything from the basis of the RFP, the safety of our 4-H and FFA community to the inclusion of the County as an essential landowner. She also has concerns about the letters of approval that were missing information from the presentation that was provided to the council by Steve Jenkins, the City's Economic Development Director. Commissioner Brooks is frustrated that the County's vested interest is being marginalized and our concerns are being disregarded. Commissioner Holton is disappointed with the lack of communication, and said the City's decision not only has health and safety concerns but it will also impact the function and viability of the Fair in addition to impacting County taxpayers by impacting tax rates countywide. The County is trying to determine the best way to work together and correct what the City put on the record that the County is in conflict with. It was inaccurately reported that the hotel has been approved; there is a letter of intent passed by the council, but that is not an approval. The approval was scheduled for December 16, but has been pushed to January. Director Jenkins did not have a clear number on what the property was worth per square foot. There have also been conversations related to a potential land swap, but that could be more injurious to the Fair.

There was discussion on the following topics:

- The City approved an event district for the area that could be in conflict with the deeds from the Griffiths family. What is the purpose of the event district?
- In November of 2024, the City met with Commissioner Brooks, COO Rast, and Director Sinner where they discussed concerns about parking for the Fair and the impacts the proposed hotel will have on the 4-H programs due to parking concerns and the potential for 4-H kids having to carry feed and bedding for livestock across a busy road/railroad track. They also talked about the County's request to delay construction until after the 2025 Fair and Caldwell Night Rodeo.
- The City has said the project will add 198 parking stalls, 77 above code and 23 trailer stalls, but COO Rast said that number isn't accurate. The developer has said 251 parking stalls

will be put around the hotel with an additional 120 stalls used for events. The City has said they counted 160 vehicles that were in the dirt parking lot during events, but an aerial photo indicates there are 295 slots on the lot, and the hotel will give an additional 120 slots. The County wants to know what the parking plan is.

- Concerns regarding the City's plans to dismantle the Charolais barn and the resulting impacts of that.
- Director Sinner addressed the parking that is available during the Fair and how they make the most efficient use of the dirt lot and the other parking areas available to them. She questioned when the City counted the number of cars on the lot because in her experience, the lot remains nearly full during the Fair. She voiced concerns with the City's plans for the Charolais barn and gave a history of the work the City and County performed in 2018 on replacing the divider walls and related work. The walls are crucial to the Fair because they tie cattle on both sides of the divider walls. They have nowhere else to tie cattle, and replacements would be expensive with panels costing \$106,065, and that includes a \$40,000 discount.
- Regarding the City's recommendation on paving, Director Sinner said the swine pens are on concrete and the concern is they are not considering what surface they are putting down. We cannot have a slick surface, it has to be a broom finish and selected based upon a sample. After frequent cleanouts the broom finish will become slick at some point.
- Director Sinner said the City has suggested putting the wash station on County property without communicating with the County. They were talking about the rabbit barn not being effectively used for rabbits, but they have not had rabbits in that building since 2019. Improvements have been made to the building, it has a concrete floor and air conditioning and it is utilized by Facilities staff during the Fair.
- Facilities Director Rick Britton spoke about the issue of replacing all of the asphalt and the City's statement that the project can be done in half a day. He believes it will take a minimum of 6-8 months for the design, permitting, and work phases.
- There are concerns with the City's suggestion to relocate the portable barns behind the Charolais barn. The City also encouraged that the red barns be demolished, but that is County property and is used for storage throughout the year, and during the Fair it's for people showing sheep/goats.

- The City recommends converting part of Gabiola Field to road mix for year-round parking, but Director Sinner has concerns with that because it's currently grass which is cooler than any other surface. Road mix will create dust.
- Regarding the timeline for the hotel, COO Rast said at the discussion on November 6, the City said they would break ground after the Fair and the rodeo but they have not upheld what they said they would do and they seem to be more concerned about January through May events rather than the Fair or the rodeo. The timelines do not coincide with the conversations they have had.
- Concerns of inaccuracies with the City's estimations on property value and the estimated income. It was represented that the bare lot was worth \$3M which the City is proposing to rent for \$5,000 a year.
- A warranty and gift deed from the Griffiths Family: The property was deeded to the City of Caldwell for three specific uses: County Fair; Ag Expo, and public use purposes. COO Rast said if the hotel is constructed on the dirt lot we may have to move the Fair to the southeast side and invoke our use of the baseball fields and what that is known as Griffith's Park. We have rights to those areas, but the City does not want the County to move that direction.

Commissioner Van Beek said if the hotel goes forward without plausible mitigation efforts, the County will suffer harm in the long-term, and there has to be a plan that provides for something in the community that's enjoyed by a lot a lot of people. There are a lot of unattended consequences of the plan. She said the County is working with the Fair Director and there are plans being developed for the expansion and future of the Fair and those plans will soon be available. COO Rast said it's his opinion the City Council is not getting the full story of the conversations that have occurred with City and County officials. Commissioner Van Beek read a statement which was summarized as follows: *"... The Board will vigorously defend the intent of the Griffiths Family to maintain the site as the home of the County Fair against any restrictions of the County Fair's use or any attempts to convert the property to private commercial use."*

(Chief Civil Deputy PA Bazzoli left at 3:33 p.m.)

Commissioner Brooks said in his conversations with City officials we could not be on more opposite ends of the interpretation of the language of those deeds and that is the crux of the unfortunate position the Council and the Mayor have taken where they will do what they want. He said the courts may have to decide, but he hopes both groups can work together. Commissioner Van Beek said there is a way to get to good solutions but you have to have willing partners and she will stay committed to that. Commissioner Holton said it's clear the County does not have direct jurisdiction over the lot but the City has a history of working with the other entities, but he doesn't know where that spirit went and he believes the council was presented with grossly inaccurate information. The lack of communication is manipulative and he would not want to be the hotel

developer because he may have his money held up during the challenge. It's not a threat, it's a concern and the County will do everything within its power to not end up costing the taxpayer more money because of this plan and it frustrates him to ponder the possibility of wasting legal time on a challenge when we could work together towards a long-term solution for the Fair. COO Rast said he was told by the Mayor that the Commissioners had the opportunity to attend the council meeting on December 2nd to give their opinions on this matter. However, it's difficult for the Board to show up at a public meeting without it being on the agenda. He said the County did not send a letter of support or opposition because it did not know what the December 2nd meeting was going to do. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn at 3:42 p.m. An audio recording is on file in the Commissioners' Office.

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

This matter, which was scheduled for 4:00 p.m., was continued to 4:30 p.m. to allow time for the applicant to arrive with the final plat.

The Board met today at 4:31 p.m. for a continuation of the public hearing regarding the request by Darin Taylor, representing Ryan and Heidi Walker, for a conditional rezone of an "A" (Agricultural) Zone to a "CR-RR" (Conditional Rezone - Rural Residential) Zone, Case No. CR2021-0012. The request includes a short plat for Edenbrook Estates Subdivision, Case No. SD2021-0057. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Interim DSD Director Jay Gibbons, DSD Planning Supervisor Carl Anderson, DSD Principal Planner Michelle Barron, Darin Taylor, Ryan Walker, and Deputy Clerk Monica Reeves. The conditional rezone was approved at the October 22, 2024 public hearing. The short plat was continued to November 20, 2024, and was subsequently continued to December 3, 2024, and again to today's date. Today the Board reviewed the draft FCO's for Edenbrook Estates Subdivision. There was discussion regarding Condition No. 9 which stated that the private road, Edenbrook Lane, shall be paved prior to the certificate of occupancy of the 5th building permit that accesses off the private road. The Board asked staff to change the language to state that Edenbrook Lane shall be paved prior to issuance of the 5th *building permit* that has access from the private road. Commissioner Holton said the County is in the process of changing all ordinances to discontinue the practice of issuing building permits and then holding people up on their occupancy. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to approve the preliminary plat for Edenbrook Estates Subdivision, Case No. SD2021-0057, subject to conditions of approval. As part of today's action, the Board approved the FCO's, development agreement, and ordinance for Case No. CR2021-0012. (Agreement No. 24-163 and Ordinance No. 24-009.) Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to authorize the signature on the final plat for Case No. SD2021-0057. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn at 4:45 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2024 TERM
CALDWELL, IDAHO DECEMBER 12, 2024

DECEMBER 2024 TERM
CALDWELL, IDAHO DECEMBER 13, 2024

APPROVED CLAIMS

- The Board has approved claims 612186 to 612228 in the amount of \$52,241.60

DECEMBER 2024 TERM
CALDWELL, IDAHO DECEMBER 16, 2024

No meetings were held this day.

DECEMBER 2024 TERM
CALDWELL, IDAHO DECEMBER 17, 2024

APPROVED PURCHASE ORDERS

The Board approved the following purchase orders:

- Wall to Wall in the amount of \$8,890.00 for the Facilities Department (PO #6135)
- Mountain Valley Power in the amount of \$6,000.00 for the Facilities Department (PO #6136)
- Intermountain Wood in the amount of \$6,521.84 for the Facilities Department (PO #6142)
- Dell in the amount of \$7,051.68 for the Information Technology Department (PO #6162)
- Mindbase in the amount of \$14,726.00 for the Sheriff's Office (PO #6110)

APPROVED CATERING PERMIT

The Board approved an Idaho Liquor Catering Permit for:

- O'Michael's Pub & Grill to be used on 12/20/24 at Deer Flat Ranch

APPROVED EMPLOYEE STATUS CHANGE FORM

The Board approved employee status change form for:

- Tamara Brown, TCA Court Budget Analyst

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

The Board met today at 1:31 p.m. with County Attorneys for a legal staff update and to consider action items. Present were: Commissioners Brad Holton and Zach Brooks, Chief Civil Deputy PA Aaron Bazzoli, Deputy P.A. Zach Wesley, COO Greg Rast, Indigent Services Director Yvonne Baker, Indigent Services Case Manager Kellie George, Indigent Services Case Manager Jenn Odom, HR Director Marty Danner, Controller Kyle Wilmot, Brent Hart, and Deputy Clerk Monica Reeves. The items were considered as follows:

- **Action Item: Consider Addendum No. to the Request for Proposals for Human Resources Information System and/or Payroll System:** Director Danner said the addendum gives notice that the County is extending the deadline for the RFP, and answers all of the questions that have been submitted. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to sign Addendum #1 for the Request for Proposals for Human Resources Information System and/or Payroll System as presented.
- **Action Item: Consider a Resolution Appointing Community Volunteer, Brent Hart, to the Canyon County Board of Community Guardians:** Brent Hart has worked with people with developmental disabilities for 20 years and he sees the need for guardians and is happy to help where we can. According to Director Baker, Mr. Hart has successfully passed a background check. Upon the motion of Commissioner Brooks and the second by Commissioner Holton, the Board voted unanimously to approve the resolution appointing community volunteer, Brent Hart, to the Canyon County Board of Community Guardians. (Resolution No. 24-217).

As part of the legal staff update, Commissioner Holton advised that he met with Nathan Leigh, the former Mayor of the City of Parma, regarding the request to establish a new taxing district in support of a new library district. The PA's Office will review the request and the process and report back to the Board. Upon the motion of Commissioner Holton and the second by Commissioner Brooks, the Board voted unanimously to adjourn at 1:38 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2024 TERM
CALDWELL, IDAHO DECEMBER 18, 2024

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Beau Bolinder, Deputy Sheriff - Transfer to Patrol
- Amanda Frailey, Records/Civil - Add PTO Pay
- Bryce Moore, Sergeant - Remove K-9 Pay

- Sharee Wright, Corporal - Remove PTO Pay
- Cobey Christoffersen - Deputy Sheriff - Inmate Control

DETAILED MINUTES TO FOLLOW:

Meeting with the Idaho State Tax Commission regarding Property Value Changes

Meeting with Health Board Trustees and Broker

PUBLIC HEARING: PROPOSED NEW ARTICLE 9 TO THE CANYON COUNTY ORDINANCE CHAPTER 7 - AGRICULTURE PROTECTION ACT, AND CONSIDER ACTION ITEM

The Board met today at 1:31 p.m. to conduct a public hearing to consider a proposed new Article 9 to the Canyon County Ordinance Chapter 7 - Agriculture Protection Act. The hearing took place in the Public Meeting Room of the Administration Building located at 111 No. 11th Avenue in Caldwell. Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, Interim DSD Director Jay Gibbons, Chief Civil Deputy PA Aaron Bazzoli, Deputy PA Zach Wesley, Director of Constituent Services Aaron Williams, Communications Specialist Chad Thompson, David Ferdinand, Steve Burton, Connie Lou Aebischer, Keri Smith, Patrick Williamson, Gerri Smith, Wayne Rundall, Stan Siewert, Kris Crookham, other interested citizens, and Deputy Clerk Monica Reeves.

The purpose of the ordinance is to comply with an Idaho state law passed during the 2024 legislative session- Title 67- Chapter 97, Agricultural Protection Act. Idaho State law 67-97 state law requires counties to establish a voluntary process through which agricultural producers may make application to commit lands actively devoted to agriculture production to remain in agricultural use for a minimum of twenty years. As required by state law, an APA designation aims to protect productive farmland, rangeland, and forest land; encourage best farming practices; support the local agricultural economy; and provide for long-term planning stability. This ordinance sets out the process for creation of Agriculture Protection Areas. Any person found to be in violation of this code shall be guilty of a misdemeanor and punishable as provided in Section 18-113, Idaho Code. If approved by the Board of Canyon County Commissioners, the effective date of the proposed ordinance will be January 1, 2025.

There is a proposed action item to consider adopting a new Article 9 to the Canyon County Ordinance Chapter 7 - Agriculture Protection Act.

Interim DSD Director Jay Gibbons said the draft ordinance was taken before the P&Z Commission on November 7 and November 21, 2024, and it made proposed amendments for the Board's

consideration. He reviewed the case packet and noted the minutes from the underlying hearings are still being transcribed. The ordinance does comply with the comprehensive plan.

Chief Civil Deputy PA Aaron Bazzoli said the state legislature created Idaho Code 67-9700 and the subsection chapters which require the Board of Commissioners of every county to establish an Agricultural Protection Area (APA) no later than January 1, 2025. It gave some guidance and requirements for what those ordinances are going to require that has been set forth in the proposed ordinance that the Board has before that included the language in different sections from that. There were a number of changes proposed by the P&Z Commission after their November 21, 2024 hearing and he has reviewed some of those changes and required recommendations for changes and inclusion and exclusion. One of the first ones was they wanted a prohibition and shorthand agricultural protection areas to APA. Prohibition of APA eligible properties within the area of city impact. That is within the Board's discretion, however, all of these properties have to fall under definition which is found in Idaho Code, Section 67-9703 which states that an APA means a specific parcel of land, a designated geographical area and voluntarily created under the authority of these chapters for the purposes of protecting and preserving agricultural land. Any applicant must be someone who owns five acres or more of land that has been in active agriculture or forest production for the previous three consecutive years. You have two requirements, multiple five acres and active agricultural forestry production for at least the three previous years prior to the application process. Idaho Code, Section 67-9704 requires the Board to establish a process by which the applicants apply and get it approved; they are also required to establish the application requirements including but not limited to information about the landowner, descriptions of the parcels, structures, and the facilities proposed to be included in the APA as well as the current use of the land proposed to be in the APA, and any other application requirements. The Board is also tasked with establishing clear and objective standards for the lands to be used in the APA and to establish a timeline for reviewing and making decisions on APA applications consistent with the statutory requirements. The Board is also required to establish an application fee and that fee cannot exceed the actual costs of processing the application. Those fees would cover the administrative costs of processing the applications, reviewing materials, holding public meetings/hearings, providing public notice, recording applicable documents, and updating county land use maps. The Board is required to establish an APA Commission and are required to staff that commission with certified members. An APA shall be designated on future land use planning maps to serve as a voluntary and expeditious look for working landowners while also informing planners, commissions, county officials, and citizens at-large on how to proactively plan for agriculture in our county. The designation of specific parcels of land as APA areas shall not impact parcels of land not designated as APA. The P&Z Commission requested the Board remove requirements to provide for soil classification survey data, however, the Board is required to establish clear and objective standards. They wanted the Board to remove all references to the word *contiguous*; however, Idaho Code, Section 63-604 defines the land as five acres of such land including the homesite has to be more than five contiguous acres an actively devoted to agriculture. That is a statutory requirement by definition. The P&Z Commission also wanted you to remove the requirement for the comprehensive plan requirements, however, Idaho Code, Section 67-9704 states the APA shall be designated on future land use planning maps to serve as voluntary and expeditious look for working landowners while informing planners,

commissions, county officials and citizens at-large, so these are going to have to be modified within and pointed out on the comprehensive plan. The Board shall not require improvements to an APA property to increase or improve compatibility. Under the draft ordinance the commission may consider improvements to promote compatibility with surrounding land uses. There is only a possible additional condition that is required in the Board's discretion, inclusions like setbacks, etc. The P&Z Commission wanted the Board to minimize the fees and simply expedite the approval process. Chief Bazzoli reviewed the statutes that have a requirement for timeframes. The APA Commission is required to review the applications and make recommendations to the Board within 60 days of receiving the application. Within 60 days of receiving a recommendation from the commission, the Board is to hold a public hearing and make a decision based upon the application. If you fail to take action within 60 days of receiving the recommendation, whatever recommendation the commission has is final. The decision to approve or deny an APA is subject to judicial review. The request was also to remove the history of ownership. The Board has the discretion to establish clear and objective standards for the application including the nature of the use of the land and the ownership. The P&Z Commission recommended you remove item b from section 10; that section states unless otherwise approved by the Board, the following land uses are prohibited within an APA and any other use not explicitly allowed in the agricultural zone. You will have to look at the county land use zone matrix and make sure any of those uses you want to consider are proper in an agricultural zone. One of the other recommendations was to remove the DSD staff reminders to the property owners as expiration nears. Once a person applies for and receives approval for an APA it is good for 20 years. At the end of that 20 years, if the landowner desires to continue the APA requirements nothing further needs to be done and the Board will automatically approve the property for an additional 20 years, you can assume that that is in perpetuity so every 20 years it renews for 20 years. If the landowner desires to terminate the APA area then 90 days prior to that 20-year mark, they must provide notice to the Board before the expiration of the APA. There is no requirement that DSD notify them but that that is up to the Board to make that discretion if you wish to have DSD notify them somewhat before the end of the APA that if you wish to have it remain, no further action is taken. If you wish to remove it, you must provide written notice within 90 days. If the landowner does nothing then it renews automatically. The P&Z Commission requested the Board remove evaluation criteria items b through m with the exception of item i. It is the Board's discretion to create a clear and objective standard for evaluating the applications of those factors or standard requirements that the Board has considered and can consider but can also change. They requested that you allow building and structures; however, nothing in the APA prohibits development or building conditions or additions onto the property just as any other comp plan requirements for new buildings or structures. However, under the APA the property must remain qualified and under definition is actively engaged in agricultural property during its 20-year designation. They also mentioned adding renewable energy; Title 67-9710 contained the following language: *The Board of County Commissioners having created an agricultural protection area shall encourage the continuity, development, and viability of agricultural use within the specific boundaries designated in the agricultural protection area by not enacting a local law, ordinance, or regulation that would restrict a farm structure or farming practice within the boundaries of the agricultural protection area unless such farm structure or farming practice does not comply with generally recognized farming practices, or the farm structure or land use is in conflict with the current agricultural land use*

classification or agricultural zoning designation of the area. The Board of County Commissioners shall not change the current agricultural land use classification or agricultural zoning designation for parcels of land within an agricultural protection area without written permission from the landowner. The Board of County Commissioners shall amend applicable land use planning maps to reflect the boundaries of designated agricultural protection areas. Nothing in this section shall prevent a Board of County Commissioners from regulating the siting of large confined animal feeding operations and facilities; the siting of residential, commercial, manufacturing, industrial, solar energy, or wind energy structures, or other non-agricultural land uses on lands included within an agricultural protection area. That is the statutory structure, the mandate that our state legislature gave last year as to how to structure these ordinances, and he thinks they address some of the concerns listed in the P&Z Commission report recommending changes to be made.

Public comments were as follows:

David Ferdinand said a lot of people do not understand what agricultural preservation really means. He appreciates the definitions in the preservation act and said we need to look at all the designations and see if there are subsets that could be utilized because he's heard many people say if it's agriculture it must be farmed, but that's not necessarily true. It is up to the private property owner. Designated areas that come before the P&Z Commission and the Board need to have the input of the private property owner; we don't want government to become the problem, but to assist the property owner in making sure the private owner can do what they want to do with their property. He referenced the Bible upholding the importance of ownership and being able to use private property. He said as the Board works through the definitions in the ordinance it needs to make sure to include individuality and voluntarily in the process.

Steve Burton said he and his brothers are fifth generation owners of 200 acres of farmland that was originally homesteaded, and they are interested in how this language is formed and whether they will volunteer for this type of protection. It's important to note there are probably laws in place right now that you could legally protect your property from growth, but it requires attorneys and a process, but this is a good alternative because it should be a shorter process and much more efficient for the landowner. He said areas of impact should be included, not excluded as proposed, and it is important that the utilities continue to have their rights-of-way even on protected grounds. Lastly, a residence should not be exempt from an APA nor should solar power or wind power as long as it's not exported off the property. The farmer should be able to continue to put up solar energy, renewable energy if that fits with their farm practice.

Connie Lou Aebischer appreciates the comments that were given at the P&Z Commission meeting, and all of the deliberation and review of the statutes and she asked the Board to approve the ordinance with the commendations that are legally allowed.

Patrick Williamson agrees with what was said and he hopes the Board has read his email. As a farmer who does H2A farming he has to provide housing for those workers, and a lot of apartments that can house those workers are usually booked and so allowing a farmer to build their own farm labor housing would be good. Part of his concerns with the exemptions are due to how the

Assessor looks at things such as packing houses for onion sheds and fruit packing facilities. If they are packing for anyone other than their own it's considered a commercial operation even if it's on ag land so it's allowing for those types of things. If he wants to build a grape harvest bin trailer, he is manufacturing a trailer on his property and so he wants to include exemptions to things as long as the farm operation can prove it is exclusively for their farm use, or they are doing it for the benefit of farming neighbors in the case of packing sheds and the occasional building of a trailer. He questioned the relevancy of the ownership history and said he has property that's been owned by one family for 116 years, so ownership history is not too relevant. He asked questions regarding noticing requirements and where additional information might be needed.

Chief Civil Deputy PA Bazzoli said the goal is that before the application gets submitted to the APA Commission it's complete so if more information needs to be done with DSD to get a complete application it could be provided within that 60-day timeframe. Once they receive the completed application they have 60 days to decide and once they have made that decision it gets submitted to the Board and then the Board has 60 days. He doesn't believe the APA Commission has to have a public hearing; they receive the application and review it and make a recommendation within 60 days to the Board. In response to a question from Commissioner Holton regarding farmworker housing, Mr. Williamson said he doesn't know what his crops are going to be 20 years from now or what the labor situation will be and he may need to get more housing; he cannot get any more people and with the H2A program he is only allowed to have people for 10 months out of the year and they have to go back for 2 months per federal requirements. There isn't enough incentive to make this a good voluntary program. He has to be fluid and pivot because of market conditions, housing conditions, labor conditions, and mother nature and make sure he has housing on ag ground and that it is a minimal impact. He doesn't want to take away a tool for farmers.

Gerri Smith hopes the Board will take a serious look at the P&Z Commission's recommendations. She referenced the white areas on the map that was displayed at today's hearing and questioned why there aren't any APA areas in the Sunnyslope area given the agricultural ground that exists there as well as others areas such as Greenleaf, Homedale, Marsing and Parma. She has friends who farm who want to keep their property in agriculture and the APA is the answer, but they are not included with the way the map was drawn. Anything west of Farmway should be given the opportunity and she doesn't understand why those areas are excluded. Commissioner Brooks said the white areas on the map are areas of impact. Ms. Smith doesn't understand the thought that would exclude someone from participating in an APA.

Keri Smith said the requirement for staff to notify landowners at the end of 20 years puts the County at a lot of risk for liability and she encouraged the Board not to put that onus on staff. She appreciates Chief Civil Deputy PA Bazzoli's analysis of the P&Z Commission's recommendation. In Exhibit V.E., she points out that Idaho Code, Section 67-6509 states that the Board should not hold a hearing and take action on any proposed amendments until the recommendation has been received by the Commission, and even today the Board has not received a full recommendation from the P&Z Commission, it has only received the draft that Sabrina Minshall provided on October 15, which the Board amended on October 17. To fix this process you should accept an ordinance from the P&Z Commission and act on that ordinance which she does not believe is in front of the

Board. She said Commissioner Brooks alluded that he had a copy of the paper recommendation, and she said the public deserves that and the P&Z Commission deserves that recommendation. No one wants to be out of compliance. She hopes the recommendation that was provided to the Board on letterhead is posted for the public to review. She is not clear on Mr. Bazzoli's comments about the impact area, it cannot be located in the city and especially with the size of the impact areas. Ms. Smith said there is some amazing ag ground on the western side she would love to see have the APA opportunity. She does not believe that people are going to jump into this until the legislature passes some amendments and creates an incentive. She referred to Commissioner Van Beek's comments about getting the balance of development prices versus ag prices so we get some equity in the farm ground which is very valuable and it is worth saving and if this ordinance creates an opportunity to save agriculture and that's why she supports its adoption. The Board does not have the minutes or the ordinance from the P&Z Commission. FCO's were provided but she believes they are not complete and the Board should have a copy of the minutes where they will find that the P&Z Commission did not want to take away the ability to have you cite any of the items Mr. Bazzoli was reading, it's that we want you to follow the zoning matrix, we want you to not have any additional powers. Ms. Smith encouraged the Board to take some time to make sure it is complying with state law. Commissioner Holton asked if she knows what enticements the legislature might consider? Ms. Smith said the farm bureau is working on a plan that would be similar to a conservation program where some type of funding mechanism will be developed that will be put into this program where that gap can be met. For example, if a farmer has 6 ½ acres and wants to say the acreage is never going to not be agriculture they could put it into this and an evaluation would be made on what development prices are versus agriculture prices and it would meet that match and pay that out, but from her understanding a clear path to creating that program has not been met. There are federal programs where if we find local matches we can tap into some federal programs, but those specific details have not been shared yet. Commissioner Van Beek asked Ms. Smith if she knew why the P&Z Commission wanted to remove all references to contiguous? Ms. Smith thinks it wasn't fully understood; if she owns 5 acres here and 10 acres there, maybe she wants the opportunity to put both of those properties in the APA even though they are not contiguous, but the intent of the legislation is that it needs to be a minimum of five acres in one area. If a farmer has multiple parcels and she wants to put in multiple parcels she thinks that could be interpreted because they are not contiguous she has to make separate applications although she doesn't think that is anyone's intent. It was not to allow one-acre parcels. Commissioner Holton asked if she has an opinion that we could delineate on the application that one property owner having multiple tax ID numbers could go under the same application? Ms. Smith said she thinks that each separate noncontiguous piece has to be 5 acres to meet the intent of the law, but you could include multiple 5+ acre pieces. One of the biggest things going back to the comprehensive plan issue is that the statute says you need to update planning maps, it doesn't use the words future land use planning map, it just says you have to update planning maps. It gives flexibility to determine what that means but comp plan maps can be changed every 6 months. She argued at the P&Z Commission hearing that the future land use map is the right map because it can be changed. The zoning maps cannot change, you can't change a zoning map without noticing the property owner specifically. The Board has the power to change the comp plan map without noticing people individually. She argued that you should not change

the comp plan map - find a different map and make it that map that gets amended as part of the process.

Aaron Williams said the intent of the APA map was to give an illustration of the parcels that are potentially eligible to opt in for the APA ordinance under the criteria that was presented before it went to the P&Z Commission. The criteria are:

- The land must be at least 5 contiguous areas
- Must be agricultural in use
- Must be actively used for agricultural production
- Must be appraised as agricultural land and have a current agricultural tax exemption
- Must be designated as agriculture on the comprehensive plan and zoned as agriculture on the zoning map.
- The land cannot be within ½ mile of a city's area of impact as well as the ownership parcel must be one ownership.
- The parcels that are highlighted green are potentially eligible although it does not guarantee they will be in an APA;
- The parcels that are highlighted purple illustrate BLM land and federal/state lands.

Interim DSD Director Gibbons said we have not created a new draft of the proposed ordinance between what was said at the P&Z Commission hearing and this Board's hearing that reflects what was said at the P&Z Commission hearing. Staff brought the proposed ordinance to the P&Z Commission for a recommendation and potential amendment recommendations and then brought the same proposed ordinance to the Board for consideration and it has the ultimate decision to add or remove criteria and other issues that were spoke of by the P&Z Commission. Staff did not feel it was appropriate to update the proposed ordinance just because it was at the P&Z Commission. It is the same proposed ordinance and that was the mechanism they chose from the start and that's where we are today. Commissioner Holton said the Board has a signed document from the P&Z Commission Chairman and it refers to the original document and to the findings of fact, conclusions of law and their recommendations to amendments as well as adding some allowances. The Board can access the audio record if a transcript is not available. He appreciates Ms. Smith's concerns but he does not believe the process is unusual.

Wayne Rundall asked the Board to take the recommendations of the P&Z Commission and incorporate as much as it can into the APA.

Stan Siewert is a farmer who has a cropland interest in the green area and outside of it. He is within five miles of the City of Greenleaf and said their impact area is huge as it goes from Ustick Road to almost Malt Road which is five miles from the core of Greenleaf. If a property owner is going to put a restriction on their property it would be normal for someone to incentivize them to do that, and a good example of that can be found south of Stanley where there is an expansive view of the Sawtooths where landowners were paid to keep that scenic view open and not clutter it with houses. If he were to put some property in the preservation program it would cost him application fees which he finds curious. If there is an advantage to join the program wouldn't you

want people to join it and preserve agriculture whether or not they are five miles from Greenleaf? With regard to solar, he thinks it will become popular for pumping, moving water around and he would not want that restricted to have solar to save on the power bill. Mr. Siewert said Canyon County has done a good job and he feels very much able to farm.

Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. The Board reviewed the P&Z Commission's proposed amendments to the ordinance:

Remove references to or requirements pertaining to the following:

- a. **The prohibition of APA eligible properties within areas of city impact areas:** Commissioner Holton said it's at the Board's discretion about the areas of impact and right now we have it ½ mile further than the areas of impact. We could go to the areas of impact border but his concern is that areas of impact are a written agreement between two public entities on how to deal with land and it takes both of those entities to sign that agreement to modify it. A recent bill is requiring that all cities area of impact get reviewed this year and so we have the opportunity by the end of this year to negotiate and consider putting the APA within the area of impact but he is uncomfortable with that. Chief Civil Deputy PA Bazzoli said the statute authorizes the APA Commission to also make recommendations down the road, but the Chairman has brought up a very good point is if this land is within the area of impact you have to address that with the cities. It's a discretionary call, there is nothing in the statute that says you can have this within there, or you must not. Deputy PA said the P&Z Commission has asked us to remove the references or requirements that prohibit APA eligible properties within the areas of city impact. One middle ground might be to make that a decision criterion or a piece of information to consider that way if you have an area of impact boundary that includes ag land that needs to be preserved and the city has been notified and they are in agreement and the County is in agreement then you would have that tool rather than an outright prohibition. Commissioner Van Beek thinks that is a good suggestion. Commissioner Brooks will consider it.
- b. **Remove requirements to provide soils classification/survey data:** Commissioner Holton said we have a fiduciary responsibility to make a clear data to make decisions on and he cannot see why anything there is a different requirement than we do on other land use decisions. We are going to deal with a wide variety of soil types and it has been made clear that you have to broaden your idea of what good soil is. He is good with leaving it in and not removing item b. The Board agrees.
- c. **All references to 'contiguous':** Commissioner Holton said the compromise is we can allow a landowner to apply for multiple parcels within the same application, but the parcels do not have to be contiguous they just have to be by that landowner and contiguous. Chief

Civil Deputy PA Bazzoli said the land has to be five acres contiguous and farmed for the previous three years. We cannot take contiguous out of that section. If someone had 200 acres somewhere and 75 acres somewhere else you could probably make that within a singular application and not have to make them pay twice. The Board can look at proximity to areas of city impact, the total contiguous acreage, proximity to existing planned utility locations, proximity to planned airport expansion, proximity to planned improvements, soil classification, water rights, and usage those are things that can be addressed within those applications. These are certain criteria established to give the Board guidance in making its decision. Commissioner Van Beek likes the idea of allowing someone to submit an application with multiple parcels, but each parcel has to meet a 5-acre minimum.

- d. **Requirement for comprehensive plan amendment:** Commissioner Holton said Keri Smith's point was on par with the authors of the bill that demonstrate they were not necessarily land use attorneys but they had good intentions. Following discussion, the Board decided to leave item d as-is. Deputy PA Wesley said that is what is written in the version of the ordinance the Board has is the comp plan map. The current version of the ordinance also ties it to the fees that are paid for the comprehensive plan map amendments. We could change that in the future or figure out the best way to do it because it doesn't specify which particular map, it says update Canyon County land use maps. The comp plan map is our most referenced map. Commissioner Holton said for the moment he is good leaving it as-is, but it's possible we may need to do a future amendment to it.
- e. **The BOCC shall not require improvements to an APA property to increase/improve compatibility:** Commissioner Van Beek said there are pieces of information missing and she would like item e expanded. We do not want property that becomes a code enforcement issue so if there are improvements that need to be made, what does that mean? Interim DSD Director Gibbons said in the essence of what was intended by this statement and in the context of what was stated at the P&Z Commission hearing, we like to avoid a condition of approval on a potential APA, an ag preservation parcel to say we will let you become an ag protected parcel but first you have to make improvements so you don't upset your neighbors. The intention is to putting more burden on a voluntary program or a parcel that is compliant with the voluntary program and make it costly in order to qualify. Commissioner Holton is bothered by this one; he gets preserving farm ground but he doesn't get preserving the parcel that's going to be an eyesore because this is about preserving and enabling productive agriculture. He would prefer to leave it in and look for recommendations. We want this to work for everybody and create a class that could end up being unaccountable to the rest of the community. He needs more information and he needs it to be clearer than what it is right now. The Board agrees.

- f. **Minimize fee/expedite the approval processes:** People need to pay their own way through the process and have a full awareness and understanding of the implications of tying up a piece of ground for 20 years. The Board is satisfied with what the legislation has given.
- g. **Remove requirements pertaining to history of ownership:** Commissioner Holton has no qualms with requiring the history of ownership. It is important to understand the history particularly given the challenges for today's farmer.
- h. **Remove item b in section 10:** Commissioner Brooks disagrees with the P&Z Commission's recommendation, and said the intent in the legislation is for ground in the agricultural area so why would we allow something to be included in the APA that is not allowed by our ordinance in an agricultural zone? The Board agrees.
- i. **DSD Staff reminders to property owners as expiration nears:** Commissioner Brooks said 20 years is a long time and he thinks a reminder notice is a good idea, and he has not heard legal say this would be inappropriate or would place the County in a position of liability. Chief Civil Deputy Pa Bazzoli said Keri Smith mentioned liability for the County. If we do not notify the landowner then the property automatically goes to an additional 20 years. If we do notify them and they choose to do nothing it goes to 20 years. If we do not notify them and they want to change it goes to 20 years. The burden is on the landowner to decide what to do, but he doesn't think the County bears any liability for sending a reminder/letter a year or 6 months prior asking them to make a decision on what they want to do with their property. Deputy PA Wesley said he is struggling to find that notification requirement in the draft ordinance. Commissioner Van Beek said the language is not in the ordinance, it's something the Board added to the draft ordinance that was sent to the P&Z Commission and they requested it be removed. Interim DSD Director Gibbons said whether it's included or not, DSD will need to track these going forward and it could be a policy within a policy for the Director to direct staff to notify a landowner or not, it doesn't have to be part of an ordinance to accomplish that. The Board will include this language in a motion.
- j. **Remove all application evaluation criteria not specifically required by statute (items b-m) with the exception of item i (compatibility and add water rights data to this item):** Commissioner Brooks is not in favor adopting this recommendation. Chief Bazzoli said the water rights data is already there, but you could separate it to its own sub-letter. Commissioner Van Beek is fine with it being left in.

The P&Z Commission recommended adding allowances for the following:

- a. **Allow buildings & structures for use specifically for the occurring agricultural use, i.e., crop storage buildings, shops, and other ag-related facilities:** Commissioner Holton said the

ability to make an application for an ag building on a person's land is not even being considered so why are we calling it out separately? He wants to strike it.

- b. **Allow renewal energy systems appropriately sized for the APA:** Commissioner Holton referred to the words *appropriately sized* and said he is unaware of any ag use that uses solar cells for pumping mechanisms because even on the longest day of the year for solar cell production if you have 10 hours of production, what are you going to do with the other 14 hours that your water was ordered on closed down the drain. Our love with solar renewable energy without a battery system is at the kindergarten stage and he believes this is before its time. He is not interested in a solar farm just so you can do something with it. Energy systems are loved by the public but it is very difficult to engineeringly produce something that really makes a difference. Commissioner Van Beek supports his position.
- c. **Allow autorenewal:** Commissioner Holton said it's already in the statute. Chief Bazzoli said in our proposed document in the first paragraph on Page 3 states *"If the proposed APA is within one mile of the city's area of impact boundary, that city or cities shall be notified of the application and given a minimum of fourteen (14) days to provide comment. Comments from a city shall be considered in context of the below listed criteria."* Do we want to modify or change that? Commissioner Holton said this is part of the problem with the APA, somebody wrote land use law and did it in a vacuum of what all of the other standard timing is and it is going to create its own problems. It should have been written equal to or similar to other land use law. Fourteen days is an anomaly on a requirement to receive a comment on an impacted agency. Chief Bazzoli said the requirement is not within the APA draft specifically, this is something Canyon County put into its proposed ordinance but the Board needs to determine if it wants to address it. Deputy PA Wesley said the P&Z Commission asked to remove references and requirements pertaining to the following prohibition of eligible properties within the area of impact but the ordinance itself never prohibited that, it just required notice and consideration of the issue. Interim DSD Director Gibbons said the clause speaks to if the proposed APA is within a mile of the area of city impact - not inside it, and the cities get a chance to comment. Commissioner Holton said you could have it as part of the application procedure that you send that out and you don't deem the application complete until after the 14-day period giving that public entity the opportunity to respond. Chief Bazzoli said it is part of the original application process before it gets to the APA Commission. The ordinance will be drafted with DSD looking at the statutory requirements. The Board is comfortable with the language.

Commissioner Brooks said on item a for what was recommended to be removed, he prefers to leave it as-is and then after we have gone through the gymnastics of amending areas of city impact boundaries with the cities, if we feel it's necessary. Commissioner Holton said this is the first time the state legislature has demanded all areas of impact be reviewed in an 18-month period, and

we are already 6 months in and we have a lot of work to do and a lot of renegotiations. He hears the concern and intent from the public testimony, but nobody brought up the fact we are reviewing the areas of impact and it's a body of work that is being required by the legislation and we then have the opportunity to talk to each one and how the Board could come back to the APA and amend that and make it clear. Commissioner Brooks wants to strike that and move forward after the ordinance is in place to evaluate the implications? Commissioner Van Beek said she could support that. Commissioner Holton said that will give some stability to this and allow the County and cities to go through the process. Commissioners Holton and Van Beek have no objections to the ng to the P&Z Commission's November 21, 2024 findings of fact and conclusions of law. Commissioner Brooks said the Board didn't adopt any of P&Z Commission's recommendations, but he would like to adopt the draft ordinance and add language regarding DSD staff sending reminders to property owners as the expiration nears. Commissioner Van Beek asked if that would include that the applicant can submit on the same application multiple parcels without additional fees? Commissioner Holton said we discussed that it could be just a policy part of the application. Commissioner Van Beek supports what Commissioner Brooks is proposing. Commissioner Brooks made a motion to adopt the Agricultural Protection Act Ordinance that the Board submitted to the P&Z Commission with the addition that DSD staff is to reach out to the owner 15 months in advance to see if they want to continue with the APA designation for their property. Commissioner Van Beek seconded the motion. Commissioner Brooks said he chose 15 months because they are required to let the County know 3 months or 90 days in advance before the termination of their APA so 15 months allows them a year to have a heads up and let the County know. Deputy PA Zach Wesley said they will work on that language and bring it back and make it clear that it's the burden of the property owner and this is just an additional friendly reminder, it will not impact their rights to remove themselves or not. It will be a courtesy notice. The motion carried unanimously. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 3:29 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2024 TERM

CALDWELL, IDAHO DECEMBER 19, 2024

APPROVED CLAIMS

- The Board has approved claims 612245 to 612270 in the amount of \$41,105.37

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- Coble Company in the amount of \$9,623.50 for the Sheriff's Office (PO #6111)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Brogan Howard, Limited License Intern in the Prosecuting Attorney's Office (Temp.)
- Garic Austin Hayes, Limited License Intern in the Prosecuting Attorney's Office (Temp.)

Meeting with County Attorneys for a Legal Staff Update

Action Item: Consider Treasurer's Tax Charge Adjustments by PIN, November 2024

Action Item: Consider Issuing Refund Check to the Caldwell Urban Renewal Agency DSD General Business and Consider Action Item:

- Action Item: Consider a resolution granting a refund to Trevor Soggs for DSD fees

PUBLIC HEARING: REQUEST BY CARLTON AND SARAH EGNER REQUEST A ROAD NAME CHANGE TO AN EXISTING PRIVATE ROAD THAT SERVES PARCELS R37431014, R37431014B, AND R37431014C, CASE NO. RD2024-0025

The Board met today at 1:31 p.m. to conduct a public hearing in the matter of a request by Carlton and Sarah Egner for a road name change to an existing private road that serves Parcels R37431014, R37431014B, and R37431014C. The request will change the private road name from "Guidi" Lane to "High Haven Lane". Present were: Commissioners Brad Holton, Zach Brooks and Leslie Van Beek, DSD Principal Planner Dan Lister, Interim DSD Director Jay Gibbons, Carlton Egner, and Deputy Clerk Monica Reeves. Carlton Egner testified that he and his wife purchased the parcels from a family whose last name was Guidi, and the Egners are wanting to change the name from Guidi Lane to High Haven Lane. Principal Planner Dan Lister gave the oral staff report. Notification was sent to the affected landowners who are the applicants and who owns all three properties that the lane serves. The DSD addressing and GIS division found the name to be satisfactory. No comments were received from agencies or the public. Staff finds that the request is compliant with the code. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to close public testimony. Each Commissioner spoke about the application being straightforward and they are in favor of approval. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously that based upon the findings of fact, conclusions of law contained herein for Case No. SD2022-0053 that the Board approve the road name change per CCCO §06-05-13(11), changing a private road name from "Guidi Lane" to "High Haven Lane". Commissioner Holton made a motion to reflect the correct case number of RD2024-0025. The motion was seconded by Commissioner Van Beek and carried unanimously. Upon the motion of Commissioner Holton and the second by Commissioner Van Beek, the Board voted unanimously to adjourn at 1:39 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER RESOLUTION TO AWARD IDAHO POWER A TAX CREDIT

The Board met today at 3:31 p.m. to consider a resolution to award Idaho Power a tax credit. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, Treasurer Jennifer Watters, Assessor Brian Stender, Senior Systems Analyst Steve Onofrei, COO Greg Rast, Chief Civil Deputy PA Aaron Bazzoli, Clerk Rick Hogaboam, and Deputy Clerk Monica Reeves. Today's action item is a follow-up to yesterday's meeting. Treasurer Watters said they are close to finalizing the refund to Idaho Power for the judgements for 2020, 2021, and 2022 and she needs direction on how to handle the funds. Does the Board want it to be a refund, or should it be posted to the second half of the 2024 taxes and refund the difference, or should they post the second half of 2024 taxes and advance the difference to the 2025 taxes. The last option is Treasurer Watters' recommendation. Commissioners Van Beek and Brooks agree. Commissioner Van Beek said the Board had a presentation yesterday by the Idaho State Tax Commission that Idaho Power lobbied for and was successful in getting a different classification for taxes, so this is not an error on the part of the County, this is a petition to the state tax commission that was granted and a refund is merited, although she does not want to issue a refund. Treasurer Watters agreed and said \$453,941.37 will be posted to the second half of the 2024 taxes and around \$278,000 will be credited to the 2025 tax year. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to sign the resolution to credit property taxes with judicial interest to the Idaho Power Company and Avista Electric Company and to pay the rest of the taxes, \$453,941.37 and to credit \$278,150.04 to Idaho Power for the next cycle. (Resolution No. 24-220.) The meeting concluded at 3:36 p.m. An audio recording is on file in the Commissioners' Office.

Action Item: Consider signing hardware purchase orders for the Idaho Supreme Court / Canyon County Clerk's office pivot to the cloud project

*Rescheduled from 10:30 a.m.

DECEMBER 2024 TERM

CALDWELL, IDAHO DECEMBER 20, 2024

APPROVED CLAIMS

- The Board has approved claim 612698 ADV in the amount of \$6,214.00
- The Board has approved the November Jury claim in the amount \$5,018.32
- The Board has approved claim 612697 ADV in the amount of \$127,272.26
- The Board has approved claims 612650 to 612693 in the amount of \$114,533.74
- The Board has approved claims 612614 to 612649 in the amount of \$43,453.36
- The Board has approved claims 612570 to 612613 in the amount of \$155,058.24

- The Board has approved claims 612694 to 612696 in the amount of \$3,598.50
- The Board has approved claims 612518 to 612569 in the amount of \$78,072.10
- The Board has approved claims 612310 to 612374 in the amount of \$162,227.08
- The Board has approved claims 612271 to 612308 in the amount of \$107,435.67
- The Board has approved claims 612455 to 612503 in the amount of \$196,137.86
- The Board has approved claims 612415 to 612454 in the amount of \$58,919.25
- The Board has approved claims 612375 to 612414 in the amount of 194,921.54

DISAPPROVED CLAIMS

- The Board has disapproved claims 612504 to 612517 in the amount of \$20,009.66

APPROVED PURCHASE ORDER

The Board approved the following purchase order:

- MPH Industries, Inc., in the amount of \$15,099.80 for the Fleet Department (PO #6178)

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Jay Gibbons, Interim Director of Development Services (Specialty Pay added for Interim Director Role)
- Braden Graham, Deputy Sheriff - Patrol (Return from USERRA leave)
- Jacob Golden, Juvenile Detention Officer

DETAILED MINUTES TO FOLLOW:

Action Item: Consider a Resolution Consenting to the Exchange of County Property Pursuant to Idaho Code § 31-829

Action Item: Consider Request for Retention of County Vessel Fund from FY2024

Action Item: Consider lien releases for the following properties:

- TBC Land Holding, 0 Duff Lane (R3760500000)
- Value Homes of Idaho LLC, 22486 Hwy 20/26 (R3850201000)

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

ACTION ITEM: CONSIDER FINAL PLAT FOR SLEEPY HOLLOW SUBDIVISION NO. 2, CASE NO. SD2023-0008

The Board met today at 3:02 p.m. to consider the final plat for Sleepy Hollow Subdivision No. 2, Case No. SD2023-0008. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Interim DSD Director Jay Gibbons, Deputy PA Zach Wesley, and Deputy Clerk Monica Reeves. Interim Director Gibbons said the preliminary plat was approved on December 11, 2024 as part of the short plat process, and the mylar is ready to be signed as it reflects what was approved. The property was previously rezoned to CR-R-1, and there are two residential lots, one with an existing home and a private road lot. Both building lots are over one acre and they have pressurized irrigation as well as individual wells and septic. The project has met the conditions and complies with the requirements. Upon the motion of Commissioner Brooks and the second by Commissioner Van Beek, the Board voted unanimously to sign the final plat for Sleepy Hollow Subdivision No. 2, Case No. SD2023-0008. Chairman Holton signed the final plat. The meeting concluded at 3:05 p.m. An audio recording is on file in the Commissioners' Office.

ACTION ITEM: CONSIDER THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER FOR CASE NO. CR2022-0005 – REQUEST BY TANNER VERHOEKS OF HAVEN IDAHO FOR A CONDITIONAL REZONE

The Board met today at 3:09 p.m. to consider the Findings of Fact, Conclusions of Law, and Order for Case No. CR2022-0005, in the matter of a request by Tanner Verhoeks of Haven Idaho for a conditional rezone. Present were: Commissioners Brad Holton, Zach Brooks, and Leslie Van Beek, COO Greg Rast, Interim DSD Director Jay Gibbons, Deputy PA Zach Wesley, DSD Principal Planner Michelle Barron, DSD Planning Supervisor Carl Anderson, and Deputy Clerk Monica Reeves. Principal Planner Barron said the Board first heard the application on February 8, 2024 and again on September 17, 2024 where the applicant brought forth more definitive information. Ultimately, the Board denied the request. She worked with Legal and added more detail to the FCO's. Commissioner Van Beek said staff did a good job outlining what the applicant could have done, and in detailing why the Board was not able to find in favor of the request. Commissioner Brooks said he will not vote on the FCO's since he recused himself from the land use hearings. Commissioner Van Beek made a motion to deny Case No. CR2022-0005, a request for a conditional rezone of parcels R28963, R2891010, R2891011 and R28961 from Agriculture to CR-R-1 (single-family residential) zone. Commissioner Holton said the FCO's state what he wanted to see and then he seconded the motion. The motion carried unanimously. Upon the motion of Commissioner Van Beek and the second by Commissioner Brooks, the Board voted unanimously to adjourn at 3:14 p.m. An audio recording is on file in the Commissioners' Office.

DECEMBER 2024 TERM
CALDWELL, IDAHO DECEMBER 23, 2024

APPROVED CLAIMS

- The Board has approved claims 612504 to 612511 in the amount of \$3,924.66

DECEMBER 2024 TERM

CALDWELL, IDAHO DECEMBER 27, 2024

There were no meetings held this day.

DECEMBER 2024 TERM

CALDWELL, IDAHO DECEMBER 30, 2024

There were no meetings held this day.

DECEMBER 2024 TERM

CALDWELL, IDAHO DECEMBER 31, 2024

There were no meetings held this day.

THE MINUTES OF THE FISCAL TERM OF DECEMBER 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