AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 1, 2025

Commissioners to conduct quarterly jail inspection/tour

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 4, 2025

No meetings were held this day.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 5, 2025

APPROVED EMPLOYEE STATUS CHANGE FORMS
The Board approved employee status change forms for:

- Brenda G. Lawrence, TCA
- Kimberly N. Bristow, Assessor's Office – Reappraisal

FILE IN MINUTES
The Board approved minutes for the January, February, March, and April 2025 terms.

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

The Board met today 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. Zach Wesley, Deputy P.A. Ben Cramer, Solid Waste Director David Loper, Facilities Director Rick Britton, Project Manager Desiree Brumley, Controller Kyle Wilmot, Chief Deputy Clerk Jess Urresti, Clerk Rick Hogaboam, Director of Constituent Services Aaron Williams, Lt. Travis Engle, COO Greg Rast, Other interested parties, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Open Statements of Qualification for the Pond Lane Detention Facility Construction Project
Submissions were received from the following:

- Sletten Construction
  Received 8/1/25 at 11:55 a.m.
- Beniton Construction
  Received 8/4/25 at 10:27 a.m.

- Okland Construction
  Received 8/4/25 at 1:31 p.m.

- Faber Construction
  Received 8/4/25 at 2:06 p.m.

- McCormack Construction
  Received 8/4/25 at 2:25 p.m.

- ESI
  Received 8/4/25 at 3:05 p.m.

- CM Company
  Received 8/4/25 at 3:23 p.m.

- Core
  Received 8/4/25 at 3:24 p.m.

- Kreizenbeck Constructors
  Received 8/4/25 at 3:49 p.m.

- HC Company
  Received 8/4/25 at 4:13 p.m.

Commissioner Holton made a motion to accept the submissions and for them to be provided to Facilities staff and legal for review. The motion was seconded by Commissioner Van Beek and carried unanimously. Director Britton said they will provide the notice of ranking for Board consideration on August 19th.

Open Bids Received for the FY2026 Pickles Butte Sanitary Landfill Monitoring Well Project
Submissions were received from the following:

- Hiddleston Drilling and Pump Company
  Received 8/4/25 at 2:25 p.m.
  $412,926.24

- Abundant Water Wells, Inc.
  Received 8/4/25 at 4:55 p.m. via email
  $314,020

Mr. Wesley said there does not need to be a minimum of 3 bids. The two bids received will be reviewed for qualifications and then the county will go with the low-bid providing it meets qualifications.

Commissioner Holton motioned to accept the two bids and continue with the process. The motion was seconded by Commissioner Brooks and carried unanimously.

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 9:44 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, legal staff and other parties. The Executive Session concluded at 11:08 a.m. with no decision being called for in open session.
The meeting concluded at 11:08 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 11:08 a.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Planning Supervisor Dan Lister, Principal Planner Emily Bunn, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider FCOs, Development Agreement, and Ordinance Changing the Zoning Map for Case No. CR2023-0003, BCI Real Estate, LLC: Ms. Bunn said this case was heard in July and she has made the requested changes regarding the irrigation condition and additional clarity to the building permit. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the FCOs, development agreement (agreement no. 25-087), and ordinance (ordinance no. 25-011) changing the zoning map for case no. CR2023-0003, BCI Real Estate, LLC.

Consider FCOs, Development Agreement, and Ordinance for David Hess, Case No. CR2022-0027: Mr. Lister said this case was heard by the Board on July 29th. This is rezone to rural residential in the Sunny Slope area to correct an illegal division. The Board directed staff to come back with FCOs that match the P&Z recommendation and a development agreement with the five conditions requested by the Board and to change the zoning map. Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to sign the FCOs, development agreement and ordinance for David Hess, case no. CR2022-0027.

Commissioner Holton made a motion to recess for at least 15 minutes to return at approximately 11:30 a.m.

As a point of clarification, Commissioner Van Beek noticed there is a typo to a road name within the development agreement for David Hess. At the request of Commissioner Holton, Commissioner Van Beek made a motion directing staff to correct the grammatical error in attachment A within the development agreement conditions (point 3, sub c). The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Holton made a secondary motion to recess for at least 15 minutes to return at approximately 11:30 a.m. The motion was seconded by Commissioner Van Beek and carried unanimously.

The Board went back on the record at 11:27 a.m. to consider resolution granting a new alcoholic beverage license to Vine & Branch Ranch LLC dba Stack Rock Cidery. Commissioner Brooks has reviewed the application which is to serve beer and wine to be consumed on premises. There is nothing precluding him from signing and 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 Vine & Branch Ranch LLC dba Stack Rock Cidery (resolution no. 25-152).

Commissioner Holton motioned to adjourn the meeting. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 11:29 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY TONY ELORDI & VICTORIA COWAN FOR A CONDITIONAL REZONE, CASE NO. CR2023-0012

The Board met today at 1:33 p.m. for a public hearing to consider a request by Tony Elordi and Victoria Cowan for a conditional rezone, case no. CR2023-0012. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Principal Planner Dan Lister, Keri Smith, Leo Stafford, Eileen Stafford, Victoria Cowan, Mike Martin, Joshua Cowan, Jerry Cereda, Kenneth Bosworth, Ron Kirtley, Tony Elordi, Rene Bine, Brad Carpenter, Jon Minkoff, and Deputy Clerk Jenen Ross.

Keri Smith offered testimony in favor of the application. She confirmed that this land is currently zoned Rural Residential. On May 25th a revised letter of intent was submitted which she feels supersedes any of the other letters of intent or information about the file; she referenced exhibit 5A for the letter of intent. The request is to divide the land into two approximate 20-acre parcels and approximately 4 of those acres of each parcel could be developed for rural residential uses

that are similar to parcels in Andorra Estates. The proposed rezone configuration recognizes the area for needed residential use such as roads, drainage, and infrastructure for the homesteads. Ms. Smith explained how she feels this request still matches the intent of the Board that approved case no. PH2016-30. In regard to compliance with the comprehensive plan, within the plan itself, it identifies this property on as agriculture, and the applicable zoning district is RR (rural residential). She would like to see the Board make a positive finding as this request meets the future land use map as well as the goals and policies outlined in her letter of intent. Ms. Smith noted the following points:

- The proposed amendment does not seek to change the underlying zoning designation, rather it aims to modify the conditions of the existing rezone for the conditional rezone and that it's only the modification of a single lot. The rest of the development agreement and conditions of approval will remain intact.
- This property only has 36-acres under an active water right. The remaining 6-acres do not have an active water right.
- The property was previously found compliant with county ordinance standards of approval which are the same conditional standards of approval that are in today's zoning ordinance. With the new recommended conditions of approval, they feel that this meets the intent of those PZ and BOCC findings from the 2016 case. Highlights of those findings (exhibit B6) – number 2 of the findings addresses the appropriateness and if the surrounding land uses have been considered. She feels this rezone is as appropriate as the current zoning designation. There are both larger irrigated farm fields and platted residential subdivisions adjacent to the subject properties. In 2016 there were 3 platted subdivisions and now there are only four.
- In 2016, the Board found that the three platted subdivisions had an average lot size of 1.99 acres but now with Andorra Subdivision, the average lot size is 2.6 acres making it more compatible with the rural residential designation.
- Exhibit 5D – Aerial photos show of 10 years of change. Before the Elordi's developed the subdivision there were approximately 18.36 acres out of ag production, after development of the subdivision, Mr. Elordi has increased viable areas for farm production to 18.42 acres. The areas not farmed were concentrated into the residential areas, and when considering their full request which includes 2-acres to be designated as a building envelope for residential development, it's only 1.32 acres less than what was originally not farmed which she believes meets the intent and spirit of the original decision.
- Exhibit A5 shows that there is no impact to water. The aquafer is very stable.
- Canyon Soil Conservation District did not recommend no land use change because they recognize the property is already zoned RR.

Commissioner Van Beek asked about exhibit 5D showing the platted land and exhibit 5B which shows the 2 lots that were part of the administrative land division. She also asked why this was not considered in the original plan and about the topography.

Dan Lister gave the staff report as follows:

- Conditional Rezone of parcels R30262104 and R30262104A, approximately 42 acres, from an "CR-RR" (Conditional Rezone – Rural Residential) zone per DA # 16-226 to a "CR-R-R" (Conditional Rezone – Rural Residential) zone. The request includes a new Development Agreement restricting development to two lots with building envelopes.
- The amendment requests two parcels, dedicating 80% to be maintained in agricultural use, while the remaining 20% be used for two homesteads (Exhibit 5A & 5B).
- Background information and illustrations demonstrating the split of the original parcel; the administrative decision in 2015 which created 4 buildable lots on one parcel and kept the other in ag; in 2016 Andorra Subdivision was created through a conditional rezone which locked two areas into ag only in perpetuity with no buildable rights – the 42 acres requested today is part of that ag only area.
- In consideration of the application, the P&Z Commission concluded on April 17th that the proposed conditional rezone is not compliant with the following criteria of Canyon County Code of Ordinances (CCCO) Section 07-06-07A:

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

  2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?
- Analysis – Comp. plan: The Future Land Use Plan in the 2030 Canyon County Comprehensive Plan designates the parcel as "agriculture" (Exhibit 3.B.2c). The 2030 Canyon County Comprehensive Plan includes agricultural future land use designations such as AC-20 (Commercial Agriculture, 20 acres per unit). Regulations for the AC-20 designation have not been adopted by ordinance. Therefore, the locations and requirements for AC-20 are unknown.
- Analysis – Current vs. Request: When considering the 2030 Canyon County Comprehensive Plan, surrounding land uses, and the 2016 Agreement (DA16-229), the request is not more appropriate than the current conditional rezone.
    - Since the development of Andorra Estates Subdivision, there have been no recent land use decisions in the area promoting residential grown (exhibit 3.B.2f)
    - The property has been "agricultural only" since 2015. The applicant agreed to keep the parcel in agricultural production via a development agreement to develop Andorra Estates (exhibit 3.B.5)
    - Prior to 2017, the parcel was not prime farmland due to slopes. After 2017, the property was regraded, and pivot irrigation was installed to make the full 40-acres of active agricultural production per the agreement (exhibit 3.B.3)
- No agency concerns were received.

Victoria Cowan offered testimony in support of the request outlining the history and work her family has done to this property. She feels this request aligns with the county's vision for responsible agricultural development. This request is not for a large subdivision but to ensure the land remains productive and properly managed. The property has not been well suited for mono-crop production. The family has invested in major infrastructure improvements. Even with the

challenges their goal is to preserve and improve agriculture on the land through a diversified approach. The vast majority of this parcel will remain dedicated to agriculture focusing on regenerative practices rather than mono-culture. Further development of this property with the split and two building permits will have no negative effects on neighboring properties in that it is self-contained. All improvements and/or infrastructure are within the boundaries of this property and already service this lot. It will not disrupt any neighboring farming or residential uses. Their approach aligns with the county's priority to encourage small scale diversified farms that enhance sustainability and strengthen the local food market.

Mike Martin lives in Andorra Estates and spoke about how well the Elordi's maintain their property. He is not in opposition and doesn't feel this would hurt his home value or that of his neighbors.

Joshua Cowan addressed Commissioner Holton's question about how he would feel if his neighbors came along and suddenly changed plans, he thinks the first question he'd ask is if the plan will stay in line with the intent that was agreed upon. He'd want to see the details. He acknowledged that this wasn't considered in 2016 but with life changes they'd love to make a small sustainable farm and in order to properly maintain the farm they feel they would need to live on site. He feels this is in line with preserving the majority of the land for farming.

Jerry Cereda said his issue is that this is farm ground and based on the comprehensive plan, if it's viable farm land it couldn't have houses on it. It's farm ground and feels it should stay farm ground. He said Mr. Elordi is a developer so it's his job to develop the ground but feels Mr. Elordi keeps changing things.

Kenneth Bosworth noted the request is for two lots and two houses but that Mr. Elordi lives right across the street, it's a close walk to get to the farm ground. As part of the initial plan to develop Andorra Subdivision, Mr. Elordi agreed to keep the 40-acres as farm ground in perpetuity. He doesn't have a problem with the plan but a problem with the honesty of how it's being done.

Ron Kirtley explained his property shares a fence line with the Elordi property. He has concerns about water as his well has gone dry when a development went in in close proximity. He has no problem with the ag portion but wondered if there will be another new request in a few years if this doesn't work out.

Rene Bine is the president for Canyon County Alliance for Responsible Growth and lives a half mile from the property. He has reviewed the application and it is essentially the same proposal from 2022 which was denied by both PZ and BOCC. The only difference is that it's being requested as rezone rather than a modification to the agreement which was drafted in 2016. The same reasons exist today for denial that did in 2022, nothing essential has changed. The real issue is being overlooked, he was assured in 2022 by the DSD Director at that time and legal that by there being an agreement this land would remain ag. He feels this requested rezone is a smokescreen and attempt at an end run to a binding contract which needs to be addressed before any changes to the 42-acres can take place. There is no guarantee or legal document that could ensure the

diversified use they talk about will be continued or that the Elordi's will stay on the property, that they won't just sell the lots in the near future. Because of these factor they are asking that the request be denied.

Brad Carpenter said his property is adjacent to this property and likely most impacted by a home being built. He doesn't see any issue with it but is trying to understand the argument to keep it ag. To him, it doesn't make any sense to deny this. He said that prior to the Elordi's purchasing and developing/working the property it was in poor condition and essentially junk.

John Minkoff lives about 300 yards from the property and has been involved for a long time, since 2016. He indicated that this was a special agreement made with Mr. Elordi in 2016 so that Andorra Subdivision could be developed and this is the 4th attempt at a modification. In regard to ground water, his well had to be lowered below 300', groundwater is an issue.

Keri Smith provided rebuttal testimony stating that most of the testimony surrounded an agreement that has been in place since 2016. She referenced page 100 of the staff report which is exhibit B7, page 2 noting the agreement was signed by Commissioners Dale, Rule and Hanson and states the term of the agreement is binding with the land but also states this agreement shall terminate if the Board of County Commissioners subsequently rezones the property to allow for a higher density or annexation. It contemplated very specifically that the applicant could apply for a revision. Additionally, it also addresses modification of this agreement and contemplates changes that can happen. Mr. Elordi has gone above and beyond in correcting agricultural deficiencies on the property. This request is a very limited change. One of the concerns raised is that the Elordi's will do this again – that is one of Idaho's founding property rights, every person has the right to make change to their property. In May they met with DSD requesting to rezone the land to agriculture to make it harder, that request was denied based on parcel size and not meeting the minimum lot size, they feel this shows the intent of Mr. Elordi to keep the land in agriculture. Today there is a development agreement that clearly contemplated that that a change could be made and FCOs from 2016 that went from agriculture to rural residential. You have the exact same conditions today except that the land is already zoned RR. Ms. Smith addressed Commissioner Holton's question about changing plans stating that the county and state have implemented LUPA which says that the county has to readdress the comprehensive plan every few years, that contemplates change - everyone changes, the county changes, families change, plans change. Mr. Elordi went above and beyond on the intent. She addressed the 2030 comprehensive plan that she was part of adopting, noting that there was testimony at that time from Todd Lakey, Alan Mills, and other residential developers that there was a major gap in the plan. When looking at the plan, it listed zones that did not exist and there was incompatibility. It was important to her when passing the 2030 plan that it includes zones that existed. She feels there are two things to be evaluated, the future land use designation and how it meets that and the zoning regulations. This property meets the criteria for a rural residential zone in addition to meeting the future land use designations. The applicant is amenable to discussing any type of conditions to mitigate any potential concerns.

Commissioner Van Beek motioned to close public testimony. The motion was seconded by Commissioner Brooks and carried unanimously.

Discussion ensued in an effort to determine the legal matter in this situation. Zach Wesley feels the question here today is whether or not the property can be rezoned to RR and secondarily whether the development agreement is revoked or not which might be between the county and the property owner or the property owners amongst themselves.

As part of the Board's deliberation there was an evaluation of the criteria (07-06-05), and a review of the Planning and Zoning Commission's FCO's. (The audio portion of the discussion can be found at approximately the 1:42:00 mark)

Evaluation Criteria:

1. *Is the proposed conditional rezone generally consistent with the comprehensive plan?* The Board concurs with P&Z in that the proposed conditional rezone change is not generally consistent with the Comprehensive Plan.
2. *When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?* The Board concurs with P&Z in that the proposed conditional zoning to RR is not more appropriate than the current zoning designation as conditioned by development agreement no. 16-229.
3. *Is the proposed conditional rezone compatible with surrounding land uses?* The Board concurs with P&Z in that the proposed conditional rezone to RR is compatible with surrounding land uses.
4. *Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?* The Board concurs with P&Z in that the proposed conditional rezone will not negatively affect the character of the area.
5. *Will adequate facilities and services, including sewer, water, drainage, irrigation, and utilities be provided to accommodate the proposed conditional rezone?* The Board concurs with P&Z in that the project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone.
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 traffic patterns?* The Board concurs with P&Z in that the conditional rezone will not require public street improvements in order to provide adequate access to and from the subject property in order to minimize undue interference with existing and /or future traffic patterns created by the proposed development.
7. *Does legal access to the subject property for the conditional rezone exist or will it exist at the time of the development?* The Board concurs that the property does have legal access, and access to the subject parcel can be improved at the time of development.

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?* The Board concurs with P&Z in that the proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency services.

Commissioner Brooks said he sees no reason to go back on the agreement from 9 years ago. Commissioner Holton agreed noting that this may be more appropriate in the future. Commissioner Van Beek can't apply a revision that doesn't apply to the parcel being considered today.

Commissioner Brooks made a motion to deny case no CR2023-0012. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Holton motioned for staff to compile FCOs for consideration at a future date. The motion was seconded by Commissioner Brooks and carried unanimously.

Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to adjourn the hearing. The hearing concluded at 3:28 p.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 6, 2025

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Laura Ramos, Facilities

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- O'Michael's Pub & Grill to be used on 9/13/25
- Danelion Brewing to be used on 8/16/25, 10/4/25, and 11/8/25
- Diamond Steakhouse to be used on 8/30/25
- The Southern to be used on 10/4/25, 8/23/25, and 11/1/25
- The Balcony Club to be used on 8/20/25, and 8/27/25

CONTINUED PUBLIC HEARING: APPEAL BY DAVE ERLEBACH OF ERLEBACH PROPERTIES, LP, REPRESENTED BY TODD LAKEY AND LANDON BROWN, FOR A C.U.P. TO ALLOW A CONTRACTOR SHOP AND A STAGING AREA WITHIN AN "A" (AGRICULTURAL) ZONING DISTRICT, CASE NO. CU2023-0024-APL

The Board met today at 10:00 a.m. for a continued public hearing regarding the appeal by Dave Erlebach of Erlebach properties, LP, represented by Todd Lakey and Landon Brown, for a C.U.P. to allow a contractor shop and a staging area within an "A" (agricultural) zoning district, case no. CU2023-0024-APL. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Principal Planner Debbie Root, Principal Planner Emily Bunn, DSD Director Jay Gibbons, Attorney Todd Lakey, Dave Erlebach, Other interested citizens, and Deputy Clerk Jenen Ross.

Ms. Bunn gave a brief update stating that at the previous hearing public testimony was closed and the Board had deliberated the planning and zoning FCOs. The Board had some questions for legal staff so the hearing was continued to today to allow time for those questions to be answered.

One of the main questions was whether this application was to be considered based on the approximate 11-acre parcel or the approximate 39-acre parcel. Commissioner Holton said that for him with a legal description of the parcel being considered it convolutes the public hearing and clarity on which he can make a decision. He understands what the applicant is trying to do but encouraged him to make a better application. Commissioner Van Beek feels there was significant information such as a nitrate priority study from SWDH and RUMA that were not provided and that this case really belongs back at planning and zoning.

Commissioner Holton read into the record the five points he feels the applicant can accomplish to make this a more complete application which could result in a more favorable decision:

1. Accept the conditions proposed by DSD or negotiate with DSD regarding those conditions
2. Permit the county Building Official to inspect the existing structure to verify that it is not being used for fabrication or manufacturing and confirm it's used as an ag building
3. Have a surveyor prepare a legal description of the 11-acre section where the staging area is proposed to be located which can be used for a recorded building envelope or parcel division to limit conditions to the 11-acre section
4. Provide an updated the drainage plan for the proposed 11-acre section
5. Demonstrate permanent legal access to the 11-acre section that is recorded with highway district approval

Commissioner Van Beek would like to see the nitrate priority study submitted and a building permit would need to be reapplied for.

Commissioner Brooks doesn't know which acreage is being dealt with which makes it hard for him to apply the criteria.

Ms. Bunn offered her comments regarding the building permit stating that if this appeal is denied the applicant would not be able to get a personal use only permit to be for a storage since he doesn't live on site. If the building is not used for ag purposes then an ag exempt permit wouldn't

be applicable either and also eliminates the option for a commercial or industrial permit because it's not an approved use. If there is no way for him to apply for a building permit it will just be an unpermitted structure. The other option would be to remove the structure if there is no way to bring it into compliance because the use would not be approved.

Commissioner Holton recommends the applicant work with DSD for possible options and strongly suggests the applicant get the structure legal.

In response to a question from Commissioner Brooks, Ms. Bunn explained that if the building inspector finds that there is manufacturing happening in the building it would not qualify as an ag exempt building and therefore not be able to get an ag exempt permit and thus would not be able to apply for any other commercial permit because the use would not be approved. The building would either be an unpermitted structure or it would need to be removed. The other option would be to build a house on-site then it could potentially be used as an accessory structure which would bring it into compliance for personal use only. If they wanted to use it for ag purposes that can be demonstrated to DSD by a letter of intent and it could be permitted that way.

Commissioner Van Beek made a motion that based on the findings of fact, conclusions of law, and order contained herein the Board denies case no. CU2023-0024-APL, a staging area and contractors shop within an "A" (agricultural) zoning district on parcel R37905 and that if the applicant pursues potential remedies as outlined by the Board. The motion was seconded by Commissioner Brooks and carried unanimously.

FCOs will be brought back at a later date for Board consideration.

Upon the motion of Commissioner Holton and second by Commissioner Brooks the Board voted unanimously to adjourn.

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

<u>PUBLIC HEARING TO CONSIDER A REQUEST BY SIX POINT PROPERTIES, LLC, REPRESENTED BY BRISTLECONE LAND USE CONSULTING, FOR A CONDITIONAL REZONE OF PARCEL R32862, FROM AN "A" (AGRICULTURAL) ZONE TO A "CR-R-1", CASE NO. RZ2022-0012</u>

The Board met today at 1:32 p.m. for a public hearing to consider a request by Six Point Properties, LLC, represented by Bristlecone Land Use Consulting, for a conditional rezone of parcel R32862, from an "A" (agricultural) zone to a "CR-R-1" zone, case no. RZ2022-0012. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Principal Planner Dan Lister, Elizabeth Allen with Bristlecone Land Use Consulting, Kristin Short, David Kooch, and Deputy Clerk Jenen Ross.

Elizabeth Allen offered testimony in favor of the application outlining the following:

- Parcel location

- The property is 63-acres and they are proposing a conditional rezone to R-1, single family residential, with 48 residential lots, 2 common lots and an average lot size of 1-acre
- Review of the concept plan with access from the north is in accordance with ITD requirements and access to the east and a stub road to the south. The site previously had access through Kimball Road but that has since been closed for the widening of Karcher Rd.
- There will need to be connection to a well or water system that will allow fire protection in accordance with the City of Caldwell
- The proposal is for individual wells
- The site is not within a conservation area or a wildlife refuge
- Currently the property is farmed and will continue to be farmed until it is developed. Other farms in the area will be able to continue farming even after the site is developed, there will not be a loss of access. Other farmers in the area did not have any concerns and were supportive of the plan.
- Based on the lots proposed, it is estimated to have 18 students which would have a negligible impact on school capacity.
- They are in agreement with the conditions outlined by P&Z but in reference to condition no. 2 they would like some flexibility to provide ½-acre lots with a community system so when Caldwell has water services in the area they would have the option to connect. With strictly 1-acre lots and individual wells there would be the same flexibility as with ½-acre lots.
- The property is surrounded by residential, so this would be an in-fill area. The future land use is residential. Generally, other lots in the area are ½-acre lots.

Ms. Allen addressed Commissioner Van Beek's questions regarding a community septic system, commercial frontage, and access.

Dan Lister gave the staff report which reviewed the following:

- Conditional rezone to "R-1" (Single Family Residential) with development agreement limiting development to one acre lots (total of 48 lots) with development supported by fire hydrants.
- On June 12th the P&Z approved the conditional rezone with the following conditions:
    - All development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
    - The subdivision of the subject parcel, R32862, shall maintain an average lot size of 1-acre acre, with no more than 48 buildable lots.
    - The subdivision will provide fire hydrants connected to a well, water tank, or an alternative method of water supply as deemed appropriate by the Caldwell Fire Department and in accordance with the International Fire Code.

    - The developer shall comply with CCCO §07-06-07(4) Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the Board."
- This area is designated as a residential area in both the county's 2020 comprehensive plan, which the application was submitted under, and the City of Caldwell's 2040 comprehensive plan.
- Surrounding land uses
    - The subject parcel is zoned "A" agricultural
    - The subject parcel consists of moderately suited soils and is considered prime farmland if irrigated (Exhibit 3.B.2h).
    - Average lot sizes within 1,000' radius: 1.71 acres with a 0.43 median.
- Zoning
    - The parcel is located near residential and commercial zones (Exhibit 3.B.2e & f). Parcel R32870 was rezoned in 2019 to "CR-R1" (RZ2019-0012, Exhibit B.4) and is currently in the platting process (Norse Landing Subdivision, Exhibit 3.B.2g & 3.B.5d).
- Subdivision
    - Within a one-mile radius there are 35 platted subdivisions with a 0.55-acre average lot size (Exhibit 3.B.2g).
- Adequate Facilities
    - The applicant states the sewer will be via an individual septic system, water via individual domestic wells, drainage to be retained on-site, irrigation via pressurized irrigation through a priority right irrigation well, and utilities via Idaho Power and Intermountain Gas (Exhibit 3.A.2 & A.4).
    - Adequate services would be dependent on the residential density. Residential lots less than one-acre lot size would require connection to city services or community systems, which would be determined via a planned unit development approval (via a conditional use permit) and/or at the time of preliminary platting.
- Traffic & Access
    - Access: The property currently has frontage along SH-55 (Karcher) and Kimball Avenue (a local public road). Access to SH-55 from Kimball has been blocked by the Idaho Transportation Department. The property currently uses Vista Drive, a public road, to S. 10th Avenue, a minor arterial public road (Exhibit 3.A.2 & A.6).
    - Traffic: A Traffic Impact Study was provided with analysis for a 49 residential lot development. With subdivision improvements, SH-55 improvements, and build-out of 2027, additional improvements and traffic mitigation are not anticipated.
- Essential Services
    - Schools: Future development will be served by the Vallivue School District (Exhibit 3.B.1). The District has concerns about the capacity of Vallivue High School. Current enrollment is approximately 1,300 students with a capacity of 1,800 students. The District states two elementary schools will open in the Fall of 2025. The letter does not oppose the request or recommend any mitigation measures (Exhibit 3.A.2 &

3.D.2). No comments were received from the Brown Bus Company or Caldwell Transportation.
    - Police: Canyon County Sheriff's Office. No comments were received.
    - Fire Protection & Emergency Medical Services: The property is served by the Caldwell Rural Fire Protection District (Exhibit 3.B.1). Caldwell Rural Fire does not oppose the request subject to compliance code requirements provided in their letter. Requirements include fire hydrants, adequate street identification, and adequate access, roadways, and turnarounds (Exhibit 3.D.3). No comment was received from Canyon County Paramedics/EMT.
    - Irrigation District: The United States Forest Canal that lies within the boundary of the subject parcel is operated and maintained by the Boise Project Board of Control. The Boise Project Board of Control asserts the federal easement of 25 feet northwest and 25 feet southwest of the canal's centerline.
- Review of comments received from surrounding neighbors.

In response to a question from Commissioner Van Beek, Mr. Lister said that if the Board chooses to allow for the smaller lots this would likely need to be re-noticed since it is a substantial change from the P&Z recommendation. Mr. Lister also noted that staff agrees with Ms. Allen's analysis that this is not the best and highest use for a high-density commercial area, agreeing with the original comprehensive plan that this should be residential estates of ½-acre to 1-acre lots.

Mr. Lister addressed Commissioner Brooks' question regarding a community water system stating that the Board can make changes to the conditional rezone. If the Board feels this still needs to be a conditional rezone they don't need to go with the conditions provided by planning and zoning and the hearing would not need to be re-noticed. If the Board chooses not to apply any conditions and just leave it to the time of platting it would then be a zoning map amendment, not a conditional rezone, with the need to re-noticed.

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

Discussion ensued regarding adjustment to the lot size, individual wells vs. a community system, and any potential re-noticing requirements.

The Board is in favor of a community system.

The Board recessed from 2:38 p.m. to at 2:56 p.m.

Following the recess, based on Commissioner Holton's question regarding re-noticing for a substantial change Zach Wesley spoke about previous requirements if a substantial change was made but that those requirements no longer exist. The Board has no restrictions to making changes to terms of approval in an application from what was originally noticed.

Additionally, Mr. Lister spoke with the applicant who is favorable to the ½-acre lot size with a community system option. It's likely not all the lots would be just ½-acre, there would likely be a variety of lot sizes. He also said the applicant would like to be able to explore if there really needs to be a community system or if there is a way to work with the city and pull water from the south. They want to know what they are rezoned for in order to best use that ground. However, if the Board chooses to keep the 1-acre lot size they do not want to be locked into a community system as they don't think it would economically make sense.

Commissioner Holton said he would consider making a decision on a community water system and nothing less than .75-acre lots. Commissioner Brooks is in support of this suggestion.

Commissioner Holton said a community water system with a fire hydrant and lots no smaller than .75-acres with varied lot sizes up to 1-acre.

The Board recessed from 3:10 p.m. to 3:15 p.m.

Mr. Lister confirmed that the applicant is agreeable to the .75-acre lots.

As part of the Board's deliberation there was an evaluation of the criteria (07-06-07 (6) A), and a review of the Planning and Zoning Commission's FCO's.

In regard to all the findings, Mr. Lister said they will be updated to reflect the Board's decision on the revised lot size of greater than .75-acres. The Board has requested that the FCOs include a statement that the .75-acre lot size is larger than the majority of the lots in the general vicinity.

1. Is the proposed conditional rezone generally consistent with the comprehensive plan? The Board concurs with the Planning and Zoning findings.

2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation? The Board concurs with the Planning and Zoning findings.

3. Is the proposed conditional rezone compatible with surrounding land uses? The Board concurs with the Planning and Zoning findings.

4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts? The Board concurs with the Planning and Zoning findings.

5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone? The Board concurs with the Planning and Zoning findings. This will be updated to reflect a community water system.

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 traffic impacts? Mr. Lister noted that subsection 1 would be updated to state that at the time of platting this would need to be reviewed by ITD and the highway district to ensure the trip generation is accounted for and improvements are made.

7. 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 Planning and Zoning findings.

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? The Board concurs with the Planning and Zoning findings.

Mr. Lister's proposed language for the development agreement condition no. 2: *"The subdivision of the subject parcel R32862 shall maintain a lot size of 0.75-acre or greater, served by a community water system or connection to city service."*

Commissioner Van Beek made a motion that based upon the findings of fact, conclusions of law, and order contained herein to approve case no. RZ2022-0012, a conditional rezone of parcel R32862 from an 'A' Agricultural zone to a CR-R-1 Single Family Residential zone subject to the conditions of a modified development agreement and conditions throughout the findings as put on the record. Additionally, the FCOs will be prepared for consideration at a later date. The motion was seconded by Commissioner Brooks and carried unanimously.

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

The hearing concluded at 3:31 p.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 7, 2025

Meeting with County Attorneys for a Legal Staff Update

DSD General Business

Meeting to discuss and consider authorizing abatement of property located at 19909 Middleton Rd.
Supporting Documents:

Commissioners Attending Board Training Hosted by the Prosecuting Attorney's Office

Although a Board majority may attend and participate, this is not a Commissioner meeting. There will be no motions, action items or Board direction entertained.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 8, 2025

EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS PURSUANT TO IDAHO CODE, SECTION 74-206(1)(A) AND (D): INTERVIEW AND CANDIDATE EVALUATIONS FOR THE PLANNING & ZONING COMMISSION

Commissioner Van Beek made a motion to go into Executive Session at 1:35 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 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, DSD Staff, P&Z Commissioners, and Candidates for evaluation. The Executive Session concluded at 3:47 p.m. with no decision being called for in open session.

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

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 11, 2025

No meetings were held this day.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 12, 2025

APPROVED EMPLOYEE STATUS CHANGE FORMS
The Board approved employee status change forms for:

- Josie Phelps, Parks
- Benessa Tovar, Facilities
- Caleb Martinez, Juvenile Detention

APPROVED CATERING PERMITS
The Board approved Idaho Liquor Catering Permits for:

- Legends Sport Pub & Grill to be used 8/16/25
- Kickback Bar to be used 8/16/25; 10/18/25; 8/23/25; and 10/24/25

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

- Action Item: Consider Juvenile Detention Housing Agreements with Boise County, Malheur County, Owyhee County, Washington County, and Payette County
- Action Item: Consider Engagement Letter with Eide Bailly
- Action Item: Consider Notice of Intent to Award Bid for FY2026 Pickles Butte Sanitary Landfill Monitoring Well Project
- Action item: Consider Notice of Intent to Award Contract for the Periodic Household Hazardous Waste Disposal Services Project

Action Item: Consider FCOs for case no. CR2023-0012, Elordi

Meeting to consider certificates of non-compliance for the following properties:

- 9209 Happy Valley Rd, Nampa (R29535014)
- 9432 Lake Shore Dr, Nampa (R29586010)
- 7857 Willow Creek Dr, Middleton (R24528523)
- 12080 Rivendell Ct, Nampa (R33014104)
- 23743 Viking Ln, Wilder (R33438010A)

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 13, 2025

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Holly Murray, Clerk of the Court
- Kathy Martinez, Clerk of the Court
- Pamala Black, Elections
- Trina Harrell, Elections

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

FY2026 Budget Hearing for Canyon County, Canyon County Pest Control District, and the Melba Gopher District

A public hearing on the forgone increase will be held in conjunction with the County's annual budget hearing this evening.

- Action Item: Consider Approval/Denial of the Canyon County FY2026 Budget and Dollar Certifications of Budget Request Forms
- Action Item: Consider Resolutions Approving Forgone Increases for Canyon County and for the Melba Gopher and Canyon County Pest Control

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 14, 2025

APPROVED CATERING PERMITS
The Board approved Idaho Liquor Catering Permits for:

- Chop Shop to be used on 10/4/25
- Legends Sports Pub & Grill to be used on 9/6/25; 9/10/25; 9/12/25; 9/13/25; 9/19/25; 9/20/25; 9/21/25; 9/25/25; and 9/27/25

Meeting with County Attorneys for a Legal Staff Update

Action Items:

- Consider a resolution granting a new alcoholic beverage license to SMC Distribution LLC dba SMC Distribution
- Consider a resolution granting a changed alcoholic beverage license to Jackson Bevco Inc dba Tobacco Connection #1 (updated floorplan)

Action Item: Consider lien for property located at 1408 Lake Lowell Ave, Nampa - Parcel R3201900000

Public hearing to consider a request by CS2 LLC for modification of a development agreement, Case No. RZ2021-0047-MOD; and to consider a preliminary plat, irrigation and drainage plan for Alyson Meadows Subdivision, Case No. SD2021-0039
Action Item: The Board will consider whether to approve or deny the request

Action Item: Consider notice of lien for property located at 19909 Middleton Rd., Parcel no. R34313010A

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 15, 2025

No meetings were held this day.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 18, 2025

No meetings were held this day.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Alex Eells, Parks
- Janessa Warren, Parks
- Zachery Burfeindt, Parks
- Layla Paredes, Information Technology
- Yenifer Jimenez, CCSO

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Craft Lounge to be used 8/30/25
- Palace Event Center to be used 8/24/25

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 19, 2025

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

- Action Item: Consider Professional Services Contract for Collection of Unpaid Accounts with Linebarger Goggan Blair & Sampson, LLP
- Action Item: Consider Third Party Data Sharing Agreement with Peregrine
- Action Item: Consider Mutual Assistance Agreement Regarding Sharing Flex Databases
- Action item: Consider Notice of Ranking for the Pond Lane Detention Facility Construction Project
- Action Item: Consider Crimestoppers Services Agreement
- Action Item: Consider a Resolution Approving the FY26 Canyon County Budget, Canyon County Pest Control Budget, and Melba Gopher District Budget
- Action Item: Consider a Resolution Approving the FY26 Elected Official Salaries
- Action Item: Consider a Resolution Reserving the Right to Recover Foregone Taxes for Melba Gopher and Canyon County Pest Control
- Action Item: Consider a Resolution Approving the FY26 Recovery of Foregone Property Tax
- Action Item: Consider a Resolution Approving Employee Appreciation Time

Meeting to consider matters related to County Assistance

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

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 20, 2025

DSD General Business

Public Hearing to consider a Comprehensive Plan Text Amendment - Impact Fees; Case no. OR2025-0003

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 21, 2025

APPROVED EMPLOYEE STATUS CHANGE FORMS
The Board approved employee status change forms for:

- Parker Allen Smith, CCSO
- Holden Allen Layton, CCSO
- Jacob Petras, CCSO

APPROVED CATERING PERMITS
The Board approved Idaho Liquor Catering Permits for:

- The Black Cow Café to be used 8/30/25
- Raising Our Bar to be used on 9/20/25; 9/26/25; 9/27/25; 9/28/25; 9/5/25; 9/7/25; 9/6/25; 9/12/25; 9/13/25; 9/14/25; and 9/19/25

Continued Public Hearing: Private Road Ordinance Update, OR2025-0002
Action Item: The Board will consider whether to approve or deny the case

Action Item: Consider the final plat for replat of Sky Ranch Estates Subdivision Lots 16 and 17, Block 1, Case no. SD2024-0012

Action Item: Consider the use of current expense reserves for J.C. Wallace Construction LLC to demo a County structure on the Pond Lane property

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 22, 2025

No meetings were held this day.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 25, 2025

No meetings were held this day.

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Rachael Beirele, Development Services
- Tianna K. Major, Prosecutor's Office

APPROVED CATERING PERMITS

The Board approved Idaho Liquor Catering Permits for:

- Double Diamond Steakhouse & Saloon to be used 8/31/25
- Double Diamond Steakhouse & Saloon to be used 9/12/25

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 26, 2025

FILE IN MINUTES

Treasurer's monthly report for July 2025

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 Brad Holton, Chief Deputy P.A. Aaron Bazzoli, Deputy P.A. Zach Wesley, Deputy P.A. Ben Cramer, EOM Christine Wendelsdorf, Juvenile Detention Supervisor IV Sean Brown, , Lt. Travis Engle, Lt. Jordan Hammond, Director of Constituent Services Aaron Williams, Controller Kyle Wilmot, COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider Amended Resolution Approving Employee Appreciation Days: This resolution was approved last week but had an incorrect date, today's amendment corrects that date. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the amended resolution approving employee appreciation days (resolution no. 25-161).

Consider Baker County Juvenile Detention Housing Agreement: Mr. Brown said this is the standard agreement with the only change being an increase to the daily rate from $235 to $240. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Baker County Juvenile Detention Housing agreement as presented (agreement no. 25-098).

Consider Canyon County Jail Food Service and Commissary Agreement for FY2026 Renewal no. 2 and Amendment with Summit Food Service: Lt. Hammond spoke to the great service received from Summit Food Service. There is an increase this year, but it was anticipated. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign

the Canyon County Jail Food Service and Commissary Agreement for FY2026 Renewal no. 2 and Amendment with Summit Food Service as presented (agreement no. 25-099).

Consider a Supplemental Services Addendum for the Canyon County Sheriff's Office with Forensic Logic, LLC: Ms. Wendelsdorf explained this is a renewal contract for information sharing with the Fusion Center which is paid from the Homeland Security Grant. Upon the motion of Commissioner Van Beek and second by Commissioner Holton the Board voted unanimously to sign the Supplemental Services Addendum for the Canyon County Sheriff's Office with Forensic Logic, LLC (agreement no. 25-100).

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 9:40 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, county legal counsel, and other parties. The Executive Session concluded at 10:19 a.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 10:20 a.m. and an audio recording is on file in the Commissioners' Office.

CONSIDER A RESOLUTION GRANTING A NEW ALCOHOLIC BEVERAGE LICENSE TO I.C.A.N. FOODS INC. DBA THE GRIDDLE

The Board met today at 10:34 a.m. to consider a resolution granting a new alcoholic beverage license to I.C.A.N. Foods Inc dba The Griddle. Present were: Commissioners Leslie Van Beek and Brad Holton, and Deputy Clerk Jenen Ross. Commissioner Holton said he doesn't see a reason that would prevent him from signing. Commissioner Van Beek agreed the application meets the criteria for approval. Upon the motion of Commissioner Van Beek and seconded by Commissioner Holton the Board voted unanimously to sign the resolution granting a new alcoholic beverage license to I.C.A.N. Foods Inc dba The Griddle (resolution no. 25-162).

Commissioner Holton motioned to adjourn the meeting. The motion was seconded by Commissioner Van Beek and carried unanimously. The meeting concluded at 10:35 a.m. and an audio recording is on file in the Commissioners' Office.

PUBLIC HEARING TO CONSIDER A REQUEST BY JACOB MCMCRACKEN FOR A ROAD NAME CHANGE FROM "TINCUP LANE" TO "BIRD DOG LANE", CASE NO. RD2025-0005

The Board met today at 1:34 p.m. for a public hearing to consider a request by Jacob McCracken for a road name change from “Tincup Lane” to “Bird Dog Lane”, Case no. RD2025-0005. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Associate Planner Arbay Mberwa, Principal Planner Dan Lister, DSD Director Jay Gibbons, Jacob McCracken, and Deputy Clerk Jenen Ross.

Jacob McCracken offered testimony in support of his application stating that he relates better to the name “Bird Dog Lane” vs. “Tincup Lane”.

In response to a question from Commissioner Van Beek, Mr. McCracken stated that other parcels have been sold but no one else is actually living on the street yet. Additionally, the other parcel owners that would access the road have signed off on the name change.

Ms. Mberwa gave the staff report stating that Mr. McCracken has request the road name change as he relates more to “Bird Dog Lane”. Site visit photos were shared with the Board and are included in the PowerPoint presentation on file with this day’s minutes.

All property owners taking access off the existing private road have been provided notice of this hearing. No comments have been received in regard to the hearing. The two other property owners have signed off on the name change which can be found as Exhibit A1 of the staff report.

Staff has found that the applicant meets the required criteria and is recommending approval of the private road name change with the conditions as outlined in the draft FCOs within the staff report. Conditions 1,3, and 4 have already been met so the only condition left is no. 2 to erect a new sign to reflect the new private road name if approved.

Commissioner Brooks motioned to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Brooks made a motion based upon the findings of fact, and conclusions of law, and order contained herein for case no. RD2025-0005 that the Board approve the road name change per CCCO 06-05-13(11) changing the private road name from Tincup Lane to Bird Dog Lane. The motion was seconded by Commissioner Van Beek and carried unanimously.

Commissioner Holton motioned for the Board to sign the FCOs. The motion was seconded by Commissioner Brooks and carried unanimously.

Upon the motion of Commissioner Holton and second by Commissioner Van Beek the Board voted unanimously to adjourn. The hearing concluded at 1:43 p.m. and an audio recording is on file in the Commissioners’ Office.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 27, 2025

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved an employee status change form for:

- Jennifer Tellez, TCA

EXECUTIVE SESSION REGARDING PERSONNEL MATTER AND RECORDS EXEMPT FROM PUBLIC DISCLOSURE PURSUANT TO IDAHO CODE, SECTION 74-206 (1)(A) AND (D) - CANDIDATE EVALUATION FOR SR. ADMINISTRATIVE SPECIALIST POSITION

Commissioner Van Beek made a motion to go into Executive Session at 9:37 a.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 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, and other participants. The Executive Session concluded at 10:29 a.m. with no decision being called for in open session.

Commissioner Holton motioned to adjourn the meeting. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 10:29 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER ACTION ITEMS

The Board met today at 1:31 p.m. to consider action items. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, HR Director Marty Danner, Facilities Director Rick Britton, Misdemeanor Probation Supervisor II Jeff Breach, COO Greg Rast, and Deputy Clerk Jenen Ross. The action items were considered as follows:

Consider a resolution approving changes to the job title and job description of one (1) position in the Facilities Department: This is simply a change to the director's job title from Director of Facilities, Weed & Pest to Public Works Director. Mr. Britton will have the same role and responsibilities, but this title will better encompass the job duties and facilitate procurement efforts. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving changes to the job title and job description of one (1) position in the Facilities Department (resolution no. 25-163).

Consider a resolution approving changes to the job title and job description of one (1) position in the Misdemeanor Probation Department: Misdemeanor Probation has multiple positions that operate as a Sr. Administrative Specialist, however, there is one that was defined as Community Service which is no longer necessary as the roles are exactly the same and there does not need to be a differential. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution approving changes to the job title and job description of one (1) position in the Misdemeanor Probation Department (resolution no. 25-164)

Consider a resolution authorizing the destruction of files for former employees with employment end date prior to October 1, 2012, maintained by the Human Resources department: Director Danner said the HR department recently cleared out a storage unit full of previous employee files. Per Director Danner, all the files have been reviewed, and the majority are terminated employees prior to October 1, 2015. Zach Wesley noted for the record that in order to be in full compliance he changed the date within the resolution to August 25, 2015. Destruction of these records has been budgeted for in 2025. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the resolution authorizing the destruction of files for former employees with employment end dates prior to August 25, 2015, maintained by the Human Resources department (resolution no. 25-165).

Commissioner Van Beek motioned to adjourn the meeting. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 1:45 p.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 28, 2025

APPROVED EMPLOYEE STATUS CHANGE FORMS

The Board approved employee status change forms for:

- Merritt J. Dublin, Prosecutor's Office
- Garrett McRae, Sheriff's Office
- Tyler George, Parks
- Cameron James Morales, Sheriff's Office

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

The Board met today at 9:39 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. Ben Cramer, Deputy P.A. Trent McRae, Assessor Brian Stender, Chief Deputy Assessor Greg Himes, GIS/Land Record Supervisor Jacob King, Administrative Property Appraiser Supervisor Holly Hopkins, Director of Constituent Services Aaron Williams, Director of DSD Jay Gibbons, and Deputy Clerk Jenen Ross.

The Board has a question for the Assessor's Office pertaining to parcels being split into two taxing districts (a map is on file with this day's minutes which illustrates the issue). At the request of Commissioner Van Beek, Commissioner Holton spoke about land divisions in regard to original parcels and legal descriptions in relation to being divided by taxing districts. Assessor Stender addressed the effects newly created subdivisions have on his office noting that he believes it would be helpful for his office if they are able to be a signer on final plats to ensure boundaries are closed. Mr. King spoke to some of the issues they have to work through after a parcel is divided, and options for getting any problems rectified. Additionally, he emphasized that the Assessor's Office is really just interested in ensuring the linework and ownership of a platted subdivision is accurate. Director Gibbons agrees that correct platting should be part of the land division process. Mr. King said that at the end of the process, it's the Assessor's Office left to explain to landowners how a discrepancy happened. Commissioners Brooks and Holton are in favor of putting the onus on the developer to ensure the subdivision is designed in a way that parcels aren't split by taxing district or they are responsible for changing the taxing district line. This is an issue that needs to be resolved at the preliminary plat stage. In response to a question from Commissioner Van Beek, the Assessor's Office confirmed that the political subdivision boundaries often change and that it is kind of moving target, but Mr. King said there are a lot of resources to help keep people informed of the changes. Assessor Stender will continue to gather additional information from other counties and then work with legal and Development Services to find an applicable solution.

There were no other topics for discussion as part of the legal staff update

Commissioner Van Beek motioned to adjourn the meeting. The motion was seconded by Commissioner Brooks and carried unanimously. The meeting concluded at 10:47 a.m. and an audio recording is on file in the Commissioners' Office.

DSD GENERAL BUSINESS

The Board met today at 10:55 a.m. for a DSD General Business meeting. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, DSD Director Jay Gibbons, Assistant DSD Director Joshua Johnson, Director of Constituent Services Aaron Williams, and Deputy Clerk Jenen Ross. The Board was updated on the following:

- The public survey on administrative divisions is now closed; results will be presented at a later date. There were 707 responses, and the information will be summarized for presentation.
- There has been some interest in the Ag Protection Area Board. Staff will provide a list of potential candidates to the Board next week. Discussion ensued regarding the APA application.

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to adjourn the meeting. The meeting concluded at 11:14 a.m. and an audio recording is on file in the Commissioners' Office.

MEETING TO CONSIDER MATTERS RELATED TO COUNTY ASSISTANCE

The Board met today at 11:30 a.m. to consider matters related to county assistance. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Director of Community Assistance Yvonne Baker, Case Manager Kellie George, and Deputy Clerk Jenen Ross. The following cases were presented for Board consideration:

Case no.: 2014-183: This debt has been fully satisfied, and County Assistance is requesting a release of lien. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to sign the release of lien for case no. 2014-183.

Case no. 2025-23: The decedent has been established as a county resident and County Assistance has located an asset of a BMW SUV which may be valued in excess of $1000; however, the location of the vehicle has not been determined. Commissioner Van Beek stated that the County is not the payer of last resort as there have been assets identified – she made a motion to deny the case for this reason. The motion was seconded by Commissioner Brooks and carried unanimously .

Case no. 2025-24: An application for cremation was received from the funeral home. The decedent has resided in Canyon County for 4 years. County Assistance has determined that this case meets the residency requirements, and no assets have been identified that exceed $1000 therefore meeting the criteria for county assistance. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve case no. 2025-24.

Case no. 2025-25: An application was submitted by the funeral home. The decedent passed on June 27, 2025, and lived with brother, there is also son and grandson, but the family has been uncooperative. It appears the decedent has been abandoned. Canyon County residency has been established, and no assets were identified therefore the decedent meets the criteria for county assistance. Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to approve case no. 2025-25.

Upon the motion of Commissioner Brooks and second by Commissioner Van Beek the Board voted unanimously to adjourn the meeting. The meeting concluded at 11:44 a.m. and an audio recording is on file in the Commissioners' Office.

AUGUST 2025 TERM
CALDWELL, IDAHO AUGUST 29, 2025

No meetings were held this day.

THE MINUTES OF THE FISCAL TERM OF AUGUST 2025 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 _____, 2025.

CANYON COUNTY BOARD OF COMMISSIONERS

_____
Commissioner Leslie Van Beek

_____
Commissioner Brad Holton

_____
Commissioner Zach Brooks

ATTEST: RICK HOGABOAM, CLERK

By: _____, Deputy Clerk